

BNE 35046
VOL 3



W.A. STOCKWELL PTY LTD

10 / 211 Montague Rd
West End QLD 4101
PO Box 3144
South Brisbane QLD 4101

T: 07 3004 6888
F: 07 3004 6899

www.stockwell.com.au
ABN 50 010 095 360

16 May 2008

Energex
GPO Box 1461
Brisbane 4001



Dear Sir/Madam,

Re Application for Reconfiguration of Lot Noosa Civic Stage 2 comprising Commercial Business Type 1, situated at 28 Eenie Creek Road, Noosaville; described as Lot 2 on SP182880.

Council Application No: 2008/751

We wish to advise that WA Stockwell Pty Ltd has recently lodged a development application with Noosa Shire Council in regard to the above development. The application requires referral to the Energex as an Advice Agency. In accordance with Section 3.3.3 of the *Integrated Planning Act 1997* please find attached a copy of the application (including IDAS forms) and the Acknowledgement Notice received from the Assessment Manager.

We trust the attached information provided is sufficient to enable your assessment of the application. If further clarification is required please do not hesitate to contact myself on 0403181767 or (07) 30046858.

Yours faithfully,
W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

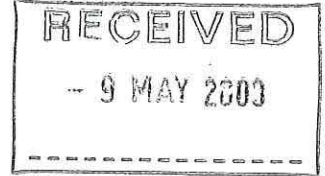
Development Manager



Officer: Mark Lewis
Direct Telephone: 5449 5261
Response Address: PO Box 141, Tewantin QLD 4565
Email: mark.lewis@sunshinecoast.qld.gov.au
Our Reference: 2008/751
Your Reference:

7 May 2008

Stockwell Building & Development
PO Box 3144
SOUTH BRISBANE QLD 4101



Dear Sir/Madam,

Acknowledgment Notice *Integrated Planning Act 1997*

Council acknowledges receipt of your application.

This Acknowledgment Notice has been prepared in accordance with *the Integrated Planning Act 1997* and contains information relevant to the processing and assessment of the application. The following details are confirmed:

1 APPLICATION DETAILS

Application No: 2008/751
Street address: 28 Eenie Creek Road NOOSAVILLE
Real property description: LOT: 2 SP: 182880
Planning Scheme: Noosa Scheme

2 TYPE OF DEVELOPMENT

The application seeks development approval for:

- Development Permit for Reconfiguring a lot - 2 Lots

3 SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme	No
-------------------------------------------------------------------------	----

4 CODE ASSESSMENT

Will Code Assessment be required? Yes

Applicable Codes

Locality Codes:

Noosaville

Overlay Codes:

Biodiversity
Natural Hazards & Natural Resources

Other Codes:

Reconfiguring a lot

Works Codes:

Engineering works codes

5 IMPACT ASSESSMENT

Will Impact Assessment be required? No

6 PUBLIC NOTIFICATION DETAILS

Is Public Notification Required? No

7 REFERRAL AGENCIES

Based on the information accompanying the lodged application, referral is required to the following IDAS referral agencies. Accordingly, you are required to forward a copy of the application, this Acknowledgement Notice and any applicable referral agency application fee, to the referral agency **within three (3) months**. After complying with the above the applicant must give the assessment manager written notice of the day the applicant referred the application to each referral agency. Attached for your convenience, is a letter that you may wish to complete and return advising that all relevant material has been referred.

Note: Council officers will carry out the internal referral of the application for the Environmentally Relevant Activity (ERA).

Referral Trigger	Referral Status	Referral Agency	Referral Address
Easement & Substation	Advice	Energex	GPO Box 1461 BRISBANE QLD 4001
Contamination	Concurrence	Environmental Protection Agency	GPO Box 2771 BRISBANE QLD 4001

8 INFORMATION REQUEST

A further information request **may** be made by the assessment manager.

Regardless of this advice, any concurrence agency for the application may make an information request.

Should the assessment manager not make an information request within the *Integrated Planning Act 1997* timeframes, the applicant can proceed to the next IDAS stage of the development.

Notification is also given in accordance with section 3.3.6(6) of the *Integrated Planning Act 1997* that the information request period is extended by 10 days.

9 OTHER DETAILS

You may wish to follow the progress of this application online at www.sunshinecoast.qld.gov.au.

Should you have any further queries in relation to the above, please do not hesitate to contact Mark Lewis on the above number.

Yours faithfully

[Redacted signature area]

sch4p4(6) Personal information

sch4p4(6) Personal information
SENIOR DEVELOPMENT ASSESSMENT OFFICER

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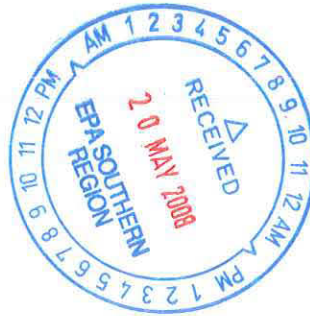
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28 April 2008

Sunshine Coast Regional Council (Tewantin Office)
PO Box 141
TEWANTIN Q 4565

Attn Tara Blogg
Land Development

Dear Tara,

NOOSA CIVIC STAGE 2

CODE ASSESSABLE RECONFIGURATION OF LOT APPLICATION OVER LAND AT 28 EENIE CREEK ROAD, NOOSAVILLE AND DESCRIBED AS LOT 2 ON SP182880

I refer to the above application and correspondence dated 18th and 21st April 2008.

Please find enclosed a cheque for \$2,560.00 for the application fees.

Should you have any queries, please contact me on 07 3004 6858.

Yours faithfully,
W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

Development Manager

Encl Cheque

TYPE	REFERENCE		GROSS AMOUNT	WITHHELD		NET AMOUNT
	DATE	NUMBER		CODE	AMOUNT	
130	22APR08	RECONFAPPLI FEE	2560.00			2560.00

STOCKWELL

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RECEIPT NOT REQUIRED DETACH AND RETAIN



AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
KENMORE MOGGILL & BROOKFIELD RDS QLD

613663

PAY
THE
SUM
OF

TWO THOUSAND FIVE HUNDRED AND SIXTY DOLLARS ONLY

23 APR 08

TO THE ORDER OF

NOOSA COUNCIL
PO BOX 141
TEWANTIN 4565

NOT
NEGOTIABLE
A/C PAYEE
ONLY

\$

*****2,560.00

sch4p4(6) Personal information

FOR AND ON BEHALF OF W.A. Stockwell Pty Ltd ABN 50 010 095 360
Trading as Stockwell Building & Development

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ABN 50 010 095 360

18 April 2008

Chief Executive Officer
Sunshine Coast Regional Council (Tewantin Office)
PO Box 141
TEWANTIN Q 4565

Dear Sir/Madam,

**NOOSA CIVIC STAGE 2
CODE ASSESSABLE RECONFIGURATION OF LOT APPLICATION OVER LAND AT 28 EENIE CREEK ROAD,
NOOSAVILLE AND DESCRIBED AS LOT 2 ON SP182880**

Please find **enclosed** the following documentation associated with this development application:

1. Duly executed IDAS Application Form 1, Part A, Part F and Part N;
2. Duly executed IDAS Assessment Checklist;
3. Letter of consent from the current registered owner; and
4. Four (4) hard copies of the Proposal Report, including attached plan of subdivision.

Please advise the relevant application fee. We believe it to be \$2,560.00 as per the Noosa Shire Council Register of Regulatory Fees 2007/2008, Section 2.5:

"Preliminary Approval/Development Permit for Lot Reconfiguration Creating Additional Lots provides that the minimum amount is to be paid for the first two created lots".

If you have any queries, please contact me on 07 3004 6858.

Yours faithfully,
W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

Development Manager

Encl Application Package (4 copies)

Form 1 Development Application

idas

Part A

Common details

NOTE: Answer all questions unless directed to go to a particular question. Refer to the end of the form for advice on how to complete this form.

Applicant details (The Applicant is the person responsible for making the application and need not be the owner of the land. The Applicant is responsible for ensuring the information provided on the IDAS Application Form is correct. This information is relied upon by the Assessment Manager and any referral agencies when assessing and deciding this application. By lodging this application, the Applicant incurs the obligations and responsibilities prescribed by the IPA. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the Applicant.)

Company/organisation name (if applicable) | WA Stockwell Pty Ltd

Individual applicant/Contact person (If there is more than one applicant, provide additional applicant details on an attachment to this form)

Title sch4p4(6) Personal information	First name sch4p4(6) Personal information	Last name sch4p4(6) Personal information
Postal address	PO Box 3144 South Brisbane, QLD 4101	
Contact telephone number	07 30046858	Mobile phone number
Facsimile number	07 30046888	e-mail address sch4p4(6) Personal information

Details of the premises (i.e. the land on which the development is proposed - refer to the advice at the end of the form)

1. Identify the premises by completing Table A, or Table B and/or Table C (ensure adequate information is given to identify the premises)

Table A If the application is for a mobile and temporary Environmentally Relevant Activity (ERA), complete Table A only. Then go to Q2.

Name of each local government area in which the mobile and temporary ERA is proposed to operate	
1	N/A

OR

Table B Street address for the premises (tick applicable box/es below and insert property description in the table. Identify each lot in a separate row.)

- (i) Street address / lot on plan for the **premises** (Appropriate for most applications including building applications); OR
- (ii) Street address / lot on plan for the **land adjoining or adjacent to the premises** (Appropriate for development in water e.g. jetty, pontoon etc) (Note: Lot on plan details may be obtained from title documents, a 'Rate' notice, or from the local government.)

	Street Address				Lot on plan description		Local government area (e.g. Logan, Cairns)
	Unit No.	Street No.	Street Name and official suburb/locality name	Post Code	Lot No.	Plan type and Plan Number	
1		28	Eerie Creek Road, Noosaville	4566	2	SP182880	Tewantin

AND / OR

Table C Coordinates and/or a map of the premises (Appropriate for development in remote areas, over part of a lot, in water (e.g. channel dredging in Moreton Bay) etc.)

	Coordinates (Note: place each set of coordinates in a separate row)				Zone Reference	Datum	Local government area (if applicable)
	Easting	Northing	Latitude	Longitude			
1						<input type="checkbox"/> DGDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> Other -	

2. Identify if any of the following apply to the premises by completing Tables D, E, or F. (Note: In most instances, the premises will not involve any of the following characteristics, however some applications may involve one or more of these characteristics - complete only if applicable)

Table D Complete if the premises are adjacent to or associated with a water body, watercourse or aquifer (e.g. river, creek, lake, canal)

Name of water body, watercourse or aquifer (if known)	
1	Eenie Creek

Table E Complete if the premises are on Strategic Port Land under the *Transport Infrastructure Act 1994*

Lot on plan description for strategic port land		Port Authority for the lot
1	N/A	

Table F Complete if the premises are in tidal water

Name of local government for the tidal area (if applicable)		Name of port authority for the tidal area (if applicable)
1	N/A	

3. Indicate the total area of the premises on which the development is proposed: (Note: The total area may include land both above and below water)

Total area of premises	
33.14	<input type="checkbox"/> m ² <input checked="" type="checkbox"/> hectares (Tick applicable unit)

Existing use of the premises

4. Current use/s of the premises: (e.g. vacant land, house, townhouses, apartment building, shop, service station, school, sugar cane farming etc.)

1	Vacant Land and Noosa Civic Shopping Centre Stage 1
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5. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc.)?

No Yes - Ensure the type, location and dimensions of each easement are included in plans, submitted with the application

Proposal details

6. Brief description of the proposal (e.g. 6 unit apartment building, 30 lot residential subdivision, a bore, aquaculture)

Reconfiguration of Lot - creating lots by subdividing another lot for " business park" Refer to Proposal Report for details.

7. Does the proposal include new buildings or operational work (including any services) on the premises?

No Yes - Ensure the nature, location and dimensions of the proposed works are included in plans, submitted with the application

Resource entitlement (if applicable) - further information is provided in the advice section at the end of the form

8. Does the application involve taking or interfering with a State resource and therefore require a resource entitlement? (e.g. the application involves State land (leased and freehold), declared Fish Habitat areas, taking quarry material, taking or interfering with water under the Water Act 2000, etc.)

No - Go to Q9 Yes - Complete Table G - provide details for each evidence required on a separate row, if applicable. Evidence of resource allocation or entitlement must be submitted with the application. You do not need to answer Q9 - go to the next section.

Owner's consent (if applicable) - further information is provided in the advice section at the end of the form

9. Complete Table H for applications involving a material change of use; reconfiguration of a lot; work on land below high-water mark and not within a canal as defined under the *Coastal Protection and Management Act 1995*; or work on rail corridor land defined under the *Transport Infrastructure Act 1994* - provide details for each owner on a separate row, or on an attachment to this form if applicable.

Table H	Premises Owner's name/s and postal address	Details of the premises owned (street address or lot on plan description)	Owner's signature*	Date consent was obtained
1	Mirose Pty Ltd	Lot 2 SP182880	sch4p4(6) Personal information	15.04.08

* Owner's signature cannot be provided on the form if you intend to submit the application electronically. Owner's consent must be provided to the assessment manager on an attachment containing appropriate written documentation of the owner's consent. If the owner is a company, s127 of the *Corporations Act 2001* (Cwealth) details how a company may sign as owner. Templates for the provision of owner's consent are available on the [IPA website](#).

Attachments and supporting information (Complete Table I - Use a separate row for each type of attachment or information, including information required under this Part) - Please ensure all documentation submitted with this form, including other Parts of Form 1, or owner's consent, etc, are securely attached to this Part of the Form.

Table I	Description of attachment or information (e.g. Part C of Form 1, owner's consent, evidence of resource allocation/entitlement, plans, drawings, reports)	Title (if applicable) (e.g. General Authority, James Street Traffic Report)	Date	Method of delivery to assessment manager
1	Proposal Report Reconfiguring a Lot	Noosa Civic Stage 2	April 2008	mail
2	Parts A,F & N, Assessment Checklist		April 2008	mail

3	Owners Consent		15.04.08	mail
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Portable Long Service Leave (PLSL) levy (Applicable for certain building and construction work valued over \$80,000 only)

10. The Portable Long Service Leave Levy (PLSL) is not applicable to this application if any of the following apply: (Tick box if applicable)
- the application seeks a preliminary approval only;
 - the application is not for building and construction work under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, section 3AA (e.g. the application is only for a change of use, or for the following types of work carried out solely for **farming purposes**: land clearing, site preparation, earthworks, fences, fodder harvesting, clearing of encroaching vegetation, clearing of regrowth, thinning vegetation or controlling weeds or pests);
 - all costs, that relate to the work both directly and indirectly, are less than \$80,000, inclusive of GST; or
 - the work is being carried out under an owner-builder permit issued under the *Queensland Building Services Authority Act 1991* - Complete and submit a QLeave Notification and Payment Form (no payment required if owner-builder permit number stated). The received form must be sighted by the assessment manager before a development permit can be given.
11. Is payment of a PLSL levy applicable to this application? (Refer to Q10 and the Advice below for more information?)
- No - End of Part A
 - Yes - Answer Q12 below

OFFICE USE ONLY (For use by the Assessment Manager / Private Certifier) (Optional)

Fee (\$)	Date received	Receiving officer's name	Reference numbers

NOTIFICATION OF ENGAGEMENT OF PRIVATE CERTIFIER

To: Council. I have been engaged as the private certifier for the building work referred to in this application.

Date of engagement	Name	BSA Certification number	Building classification/s

QLEAVE NOTIFICATION AND PAYMENT (for completion by assessment manager or private certifier if applicable)

Description of the work	QLeave Project Number	Amount paid (\$)	Date paid	Date received form sighted by assessment manager	Name of officer who sighted the form
1					

Privacy Statement

The information collected on Form 1 will be used by the Department of Infrastructure and Planning (DIP) in accordance with the processing and assessment of your Application. Your personal details will not be disclosed for a purpose outside of the IDAS process, except where required by legislation (including the Freedom of Information Act 1992) or as required by Parliament. This information may be stored in a DIP database. The information collected will be retained as required by the Public Records Act 2002.

Advice for completing Part A

General advice

- Part A of IDAS Development Application Form 1 must be completed and accompany all development applications. The applicant is responsible for answering **all** questions fully and correctly, unless following a response there is a statement to go directly to another question. The Assessment Manger may refuse to receive an application that is not properly made.
- The IDAS Assessment Checklist must also be completed for all development applications, other than those requiring assessment against the *Building Act 1975* only, i.e. those applications requiring the completion of Parts A and B only.

Applicant details

- If the applicant is a company or organisation, a contact person must be nominated. The applicant's signature is not required to be provided under the IPA.

Details of the premises

- The term 'premises' is defined by the IPA, schedule 10 to mean a building or other structure, and land (whether or not a building or other structure is situated on the land). The term 'land' is also defined to include the estate in, on, over or under the land.
- Details of the land are not required if the application involves a mobile and temporary Environmentally Relevant Activity only. Instead complete Table A.
- The premises may be identified in a number of ways --
 - Street address and lot on plan are most common and will apply to most applications.
 - Coordinates may provide the best means of accurately identifying the location of development proposed in waters, or on a relatively small development site distant from property boundaries on a large lot. Sufficient coordinates need to be provided to identify the boundary of the premises the subject of the application. Eastings and northings using GDA94 datum is preferred, but longitude and latitude and other (specified) datum such as Zone Reference or GS84 may be provided.
- The definition of 'water body' and 'watercourse' can vary from Act to Act.
- StrategicPortLand is within a local government area but a local government's planning scheme does not apply on StrategicPortLand. StrategicPortLand is declared under the *Transport Infrastructure Act 1994*. For further information go to [IDAS Guide 11](#) (Development on strategic port land) and the Queensland Transport (Ports) website.
- 'Tidal water' is defined in the *Coastal Protection and Management Act 1995* (Schedule) and 'tidal area' for a local government and for strategic port land is defined in the IPA (schedule 10). Generally, the area below 'high-water mark' (*defined by the Coastal Act in relation to high water mark at spring tides*) establishes the boundary of a tidal area. Land below high water mark is not within a local government's area unless provided for under the *Local Government Act 1993*. Unless otherwise provided for by legislation, a local government has no jurisdiction below high water mark. A tidal area for strategic port land is within the jurisdiction of the relevant port authority, while the Environmental Protection Agency generally has jurisdiction for a local government tidal area. However, the IPA gives local governments jurisdiction for assessing and deciding applications for prescribed tidal works within the local government tidal area, and the planning scheme may be applied to that assessment (to the extent provided for in the code for prescribed tidal work).

Resource entitlement

- Section 3.2.1(5) of the IPA requires evidence of resource entitlement be given for applications if they involve taking or interfering with a prescribed State resource. Schedule 10 of the *Integrated Planning Regulation 1998* (IPR) prescribes the State resources, including State-owned land, where evidence is required to be given, and the evidence required to support the application. Link to [Integrated Planning Regulation](#). Section 3.2.1(10)(a)(ii) states an application **cannot** be taken to be properly made without the required evidence.
- For applications involving the **taking or interfering with water under the Water Act**, the development application may be made at the same time as the request for resource entitlement, and the Department of Natural Resources and Water will accept the application as properly made.
- For **State-controlled roads**, a resource entitlement is not required for an activity that is exempt ancillary works or encroachment (identified by gazette notice under the *Transport Infrastructure Act 1994*, section 50), or if the activity requires referral to the Department of Main Roads.
- Evidence may be required from more than one Department responsible for a State-owned resource, e.g. from the Environmental Protection Agency for quarry material below high water mark, and the Department of Natural Resources and Water in relation to the State-owned land above high water mark.

Owner's consent

- Section 3.2.1(3) of the IPA prescribes that an application must contain, or be supported by, the written consent of the land owner/s, if the application involves: a material change of use; reconfiguration of a lot; work on land below high-water mark and not within a canal as defined under the *Coastal Protection and Management Act 1995*; or work on rail corridor land defined under the *Transport Infrastructure Act 1994*.
- Evidence of this consent may need to be provided before the application will be accepted as properly made by the Assessment Manager, during the processes of the application or in the event of an appeal about the outcome of the application.
- 'Owner' for the purpose of a lodging an IDAS development application means the person at the time of lodging the application, entitled to receive the rent for the land (or would be entitled to receive the rent for it if it were let to a tenant at a rent).
- Templates are available from the [IPA website](#) for the provision of owner's consent as an attachment to this form. However other documentation may be used for providing owner's consent provided it is clear the documentation relates to the development application for the premises.
- Owner's consent, if required, must be provided even if the applicant is the owner. Owner's consent is not required for a mobile and temporary ERA.

Portable Long Service Leave (PLSL) Levy

- The Building and Construction Industry Portable Long Service Leave Scheme provides long service leave entitlements to workers in the building and construction industry who would be unlikely to accrue enough service with one employer to qualify for long service leave. To fund the scheme, a Portable Long Service Leave Levy (PLSL levy) is collected on certain building and construction work carried out in Queensland.
- The PLSL levy amount and other prescribed percentages and rates for calculating the levy are stated in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2002*. Included in the amount collected by QLeave is the Workplace Health and Safety Fee and the Building and Construction Industry Training Levy.
- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* (PLSL Act) defines the building and construction work subject to the PLSL levy and includes renovating, relocating, constructing, altering, demolishing, maintaining or repairing buildings, pools, roads, jetties, pipelines, fences or earthworks, and works for subdividing, irrigating or draining land.
- The PLSL levy need not be paid when the application is made, but the PLSL Act requires the levy to be paid before a development permit may be issued.
- The Assessment Manager must sign an approved form issued by QLeave advising of the status of the payment of the PLSL levy. Building and Construction Industry Notification and Payment Forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at www.qleave.qld.gov.au. For further information contact QLeave (Tel: 1800 803 481 Web: www.qleave.qld.gov.au)

Form 1 Development Application idas

Part F

Reconfiguring a lot

Nature of the lot reconfiguration

1. What is the nature of the lot reconfiguration? (Tick applicable box/es)

- (i) **Subdivision** - Complete Question 2 - 5 and 9 below
- (ii) **Boundary realignment** - Complete Question 2 - 4, 6 - 7 and 10 below
- (iii) Creating an **easement** giving access to a lot from a constructed road - Complete Question 2 - 4, 8 and 10 below
- (iv) Dividing land into **parts by agreement** and rendering different parts of a lot immediately available for separate disposition or separate occupation, **other than** by either -
 - (a) a lease for a term, including renewal options, not exceeding 10 years; or
 - (b) an agreement for the exclusive use of part of the common property for a community title scheme under the *Body Corporate and Community Management Act 1997* - Complete Question 2 - 4, 9 - 10 below

The subject land

2. How are the premises identified / zoned in the planning scheme?

	List of applicable zone/precincts/areas	List of applicable overlays
1	Precinct B3, Shire Business Centre Zone	

3. What is the total number of existing lots making up the premises, the subject of the application?

1

4. What is the total area of the premises?

1

- Square metres (m²)
- Hectares

Subdivision details (If applicable)

5. Does the proposal involve multiple stages?

- No - Complete Table A
- Yes - Complete Table B

Table A

(i) What is the number of additional lots being created and what is their intended final use?

Intended final use of new lots	Residential	Commercial	Industrial	Other (Specify)
Additional number of lots created		1		

(ii) What is the type of approval being sought?

- Development Permit
- Preliminary approval

(iii) Are there any current, relevant approvals on the premises? (e.g. a Preliminary Approval for the subdivision, a material change of use etc.)

- No
- Yes - Provide details below

	Approval reference/s	Date approved	Date approval lapses
1	MCU application 2007/1461		

(iv) What is the total length of new road to be constructed? N/A

(v) What is the total area of land to be contributed for community purposes? N/A

(vi) Does the proposal involve the construction of a canal or other artificial waterway?
 No Yes - Refer to the advice at the end of the form

(vii) Does the proposal involve operational work for the building of a retaining wall?
 No Yes - Refer to the advice at the end of the form

Boundary realignment details (if applicable)

6. What are the current and proposed dimensions for each lot forming the premises? (Provide details for each lot on a separate row)

	Current Lots			Proposed Lots		
	Lot on plan description	Area	Length of road frontage	Lot on plan description	Area	Length of road frontage
1	Lot 2 SP182880	33.14ha		Lots 3 SP182880	32.14	
2				Lot 4 SP182880	1.00ha	
3						

7. What is the reason for the boundary realignment?

Refer to Proposal Report

Easement details (if applicable)

8. What are the dimensions and nature of the proposed easement?

Width (metres)	Length (metres)	Purpose of the easement (e.g. pedestrian access)	Entity favoured by the easement

Agreement details (if applicable)

9. What is the number of parts being created and what is their intended final use?

Intended final use of new parts	Residential	Commercial	Industrial	Other (Specify)
Additional number of parts created				

Mandatory Information

10. Confirm the following mandatory information accompanies this application

	Confirmation of lodgement	Method of lodgement
When creating lots by subdivision or rearranging boundaries		
Plans showing the proposed lot reconfiguration, including -	<input checked="" type="checkbox"/> Confirmed	mail
(i) Existing lot configuration	<input checked="" type="checkbox"/> Confirmed	mail
(ii) Dimensions of lots	<input checked="" type="checkbox"/> Confirmed	mail
(iii) Existing and proposed new roads (if applicable)	<input checked="" type="checkbox"/> Confirmed	mail
(iv) Existing and proposed easements (if applicable)	<input checked="" type="checkbox"/> Confirmed	mail
(v) The location and dimensions of land to be dedicated for community purposes (if applicable)	<input checked="" type="checkbox"/> Confirmed	mail
(vi) The final intended use of the new lots or parts	<input checked="" type="checkbox"/> Confirmed	mail
(vii) The lot reconfiguration in relation to the surrounding land	<input checked="" type="checkbox"/> Confirmed	mail

OFFICE USE ONLY

Date Received

Reference Numbers

Published on DES Disclosure Log
RTI Act 2009

Advice for completing Part F

General advice

- Part A must also be completed for all IDAS development applications. The applicant is responsible for answering all questions fully and correctly, unless following a response there is a statement to go directly to another question.
- When paying fees to the Environmental Protection Agency by electronic funds transfer (EFT) for coastal development applications, use the process from the information sheet *Electronically paying fees to the Environmental Protection Agency (EPA)* and attach the form *Electronic Funds Transfer (EFT) payment notification* to the application

Q5

- A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.
- Questions in relation to the area and number of proposed lots and stages of the subdivision are required for statistical and planning purposes.
- An application for operational works to construct an artificial waterway or a canal associated with the reconfiguration of a lot should be made to the local government at the same time as the application for the reconfiguration. Form 1 Part M should also be completed.
- If the reconfiguration application involves operational work that is the building of a retaining wall on the premises, the application is taken also to be for the operational work if approval for the operational work has not been applied for in this application or a separate application.

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Form 1 Development Application idas

Part N

Contaminated land

Nature of the application and contamination

1. What is the nature of the application and the nature of the contamination on the premises? *(Tick applicable box/es)*

Nature of the application	Nature of the contamination
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot	<input checked="" type="checkbox"/> (i) All or part of the premises is on the Environmental Management Register <input type="checkbox"/> (ii) All or part of the premises is on the Contaminated Land Register <input checked="" type="checkbox"/> (iii) All or part of the premises is currently used for, or if there is no existing use, was last used for - <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> (a) a notifiable activity <input type="checkbox"/> (b) an industrial activity and the proposed use is for a child care centre, educational, recreational or residential purpose (including a caretaker residence on industrial land) </div> <input type="checkbox"/> (iv) In an area for which an 'area management advice' has been given for natural mineralisation or industrial activity and the proposed use is for a child care centre, educational, recreational or residential purpose (including a caretaker residence on industrial land) <input type="checkbox"/> (v) In an area for which an 'area management advice' has been given for unexploded ordnance

Mandatory information

2. Confirm the following mandatory information accompanies this application.

	Confirmation of lodgement	Method of lodgement
(i) Plans showing where any notifiable activities, hazardous contaminant or potentially contaminated activity has occurred on the premises	<input checked="" type="checkbox"/> Confirmed	mail
(ii) If the application involves a material change of use from an industrial use to a more sensitive use (e.g. child care, educational, recreational or residential purpose, including a caretaker residence on industrial land), a detailed site history outlining previous potentially contaminated uses on the premises	<input type="checkbox"/> Confirmed	
	<input type="checkbox"/> Not applicable	

OFFICE USE ONLY

Date Received Reference Numbers

Advice for completing Part N

General advice

- Part A must also be completed for all IDAS development applications.
- The applicant is responsible for answering all questions fully and correctly, unless following a response there is a statement to go directly to another question.
- For further information about completing this form go to -
 - [IDAS Guide 5](#) (Contaminated land matters)
 - [EPA contaminated land website](#).

Form 1 Development Application idas

IDAS Assessment Checklist

IDAS Development Application Form 1 is the approved form for all development applications under the *Integrated Planning Act 1997 (IPA)*. Form 1 is made up of various Parts.

Part A (Common details) of Form 1 must be completed for all applications. The relevance of other Parts of Form 1 depends on the nature of the application.

Form 1 also includes the IDAS Assessment Checklist, which is used to assist in determining State assessment and referral requirements, and the Parts of Form 1 relevant to the application.

Section 1 and all other relevant sections of the IDAS Assessment Checklist, as identified in the Table below, must be completed for all development applications except those proposed on land in an urban development area, or for building work requiring assessment against the *Building Act 1975* only.

For more information about development applications on land in an urban development area, refer to www.dpac.qld.gov.au.
For more advice about building applications refer to Part B of the IDAS Application Form.

Answering the following questions will assist you in determining which sections of the checklist must be completed for your application.

For all IDAS development applications (except those for building work requiring assessment against the <i>Building Act 1975</i> only) - complete Section 1 of this checklist		
Does the application seek approval to materially change use of the premises? <i>If yes - complete Section 2 of this checklist</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the application seek approval to reconfigure a lot? <i>If yes - complete Section 3 of this checklist and Part F of IDAS Application Form 1. Assessment is by the local government.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the application seek approval to carry out operational work? <i>If yes - complete Section 4 of this checklist</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the application seek approval to carry out building work requiring assessment against the <i>Fisheries Act 1994</i> ? <i>If yes - complete Section 5 of this checklist</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Have you received a referral agency response under section 3.3.2. of the IPA, in relation to this development application? <i>If yes - complete Section 6 of this checklist.</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the application seek approval to carry out building work requiring assessment against a local government planning scheme? <i>If yes - complete Part E of IDAS Application Form 1. Assessment is by the local government.</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the application seek approval to carry out building work requiring assessment against the <i>Building Act 1975</i> ? <i>If yes - go to Appendix 1 of this checklist for advice on building referrals. Complete Part B of IDAS Application Form 1. Assessment is by a building certifier</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Section 1 must be completed for all applications that require completion of the IDAS Assessment Checklist.

HERITAGE

- 1.1 Answer both A and B below.
- A Is any part of the proposal intended to be carried out on a Queensland Heritage place under the *Queensland Heritage Act 1992*?
- No - Go to B Yes

B Does the proposal involve development, other than development mentioned in the *Integrated Planning Act 1997* Schedule 9 (development that is exempt from assessment against a planning scheme), that is intended to be carried out on a place entered in a Local Heritage Register under Part 7B of the *Queensland Heritage Act 1992*?

- No - Go to Q1.2 Yes - (Complete Form 1, Part C₂) This application requires assessment by the relevant local government against the IDAS Code in the *Queensland Heritage Regulation 2003*. If the development involves building work and the local government is not the Assessment Manager for the application, the local government has jurisdiction as Concurrence Agency.

IPA, schedule 8, part 1, table 5, item 24; schedule 9, tables 1, 2, 3, 4 & 5; IP Regulation, schedule 2, table 1, item 11A; IPA, section 13.5 (Definitions for terms used in development); Queensland Heritage Regulation 2003, schedule 2 (IDAS Code)

REMOVING QUARRY MATERIAL: WILD RIVER AREA

1.2 Does the proposal involve removing quarry material from a watercourse or lake as defined under the *Water Act 2000*?

- No - Go to Q1.3 Yes

IPA, schedule 8, part 1, table 5, item 1; IP Regulation, schedule 2, table 2, item 11; IP Regulation, schedule 1, table 5, item 2 (wild river area); Water Act 2000, section 966C; Wild Rivers Act 2005, section 43A

ENVIRONMENTALLY RELEVANT ACTIVITY: WILD RIVER AREA

1.3 Does the proposal involve an environmentally relevant activity (ERA), other than a mining activity or a petroleum activity?

- No - Go to Q1.4 Yes

IPA, schedule 8, part 1, table 2, item 1; IPA, schedule 8, part 1, table 5, items 3 and 4; IP Regulation, schedule 2, table 2, items 1 and 23; Environmental Protection Act 1994, section 73AA (wild river area); Wild Rivers Act 2005, section 43A, relevant wild river declaration; Wild Rivers Code

WITHIN THE LIMITS OF A PORT

1.4 Is any part of the premises within the limits of a port under the *Transport Infrastructure Act 1994*?

- No - Go to Q1.5
 Yes

IP Regulation, schedule 2, table 2, items 15 and 16

DECLARED FISH HABITAT AREA

1.5 Does any part of the premises adjoin a declared fish habitat area under the *Fisheries Act 1994*?

- No - Go to Q1.6
 Yes - If answers to questions in other sections of this checklist indicate that the proposed development is assessable under IPA, schedule 8, this application requires assessment by the Department of Primary Industries and Fisheries (DPI&F). If DPI&F is not the Assessment Manager for the application, the agency has jurisdiction as Advice Agency.

IP Regulation, schedule 2, table 2, item 26

COMMUNITY INFRASTRUCTURE

1.6 Is any part of the premises designated for community infrastructure?

- No - Go to Q1.7
 Yes

IP Regulation, schedule 2, table 3, item 7

WASTE WATER MANAGEMENT

1.7 Does the proposal involve the establishment or expansion of a waste water disposal system?

- No - End of Section 1 Yes

IP Regulation, schedule 2, table 3, item 5

Section 3 must be completed when the application seeks approval to reconfiguring a lot.

IPA, schedule 8, part 1, table 3

STATE-CONTROLLED ROAD

3.1 Is any part of the premises located in part of a future State-controlled road, or within 100m of a State-controlled road?

- No Yes

If no, is the proposed reconfiguration listed in *Integrated Planning Regulation 1998*, schedule 5 and does it exceed the threshold?

- No - Go to Q3.2 Yes - The application must be referred to the Department of Main Roads (DMR) as Concurrence Agency.

IP Regulation, schedule 2 table 3, item 3, IP Regulation schedule 2, table 2, item 2

COASTAL MANAGEMENT DISTRICT

3.2 Is any part of the premises within a coastal management district?

- No - Go to Q3.3
 Yes - This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.
IP Regulation, schedule 2 table 2, item 13(a)

VEGETATION CLEARING

3.3 Do the premises include a lot containing the following?

- (i) A category 1, 2 or 3 area shown on a Property Map of Assessable Vegetation (PMAV) No Yes
(ii) If there is no PMAV for a lot, remnant vegetation No Yes

IP Regulation, schedule 2 table 2, item 4

EASEMENTS

3.4 Is any part of the premises subject to an easement?

- No - Go to Q3.5 Yes - Answer both (a) and (b) below

- (a) Is there an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* for a transmission grid or supply network under that Act?
 No Yes - This application must be referred to the entity as Advice Agency.
- (b) Is there an easement in favour of the holder of Pipeline Licence Number 1 issued under the *Petroleum Act 1923* for the construction or operation of the Moonie to Brisbane strategic pipeline under that Act?
 No Yes - This application must be referred to the licence holder as Advice Agency.

IP Regulation, schedule 2, table 2, item 20(a) (electricity easement), IP Regulation, schedule 2 table 2, item 32 (pipeline easement)

ELECTRICITY SUBSTATIONS

3.5 Is any part of the premises situated within 100m of a substation site under the *Electricity Act 1994*?

- No - Go to Q3.6 Yes - This application must be referred to the entity responsible for the substation as Advice Agency.
IP Regulation, schedule 2, table 2, item 20(b)

CONTAMINATED LAND - REGISTERED LAND

3.6 Is any part of the land forming the premises on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*?

- No - Go to Q3.7 Yes

If yes, does one or more of the following apply?

- (i) A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -
 - the fit-out of a building on the land; or No Yes
 - minor site excavation, including for example, post holes for open-sided non-habitable structures
(ii) There is currently a notifiable activity on the land and the activity is continuing No Yes
(iii) The proposed use is industrial and only involves minor site excavation (e.g. post holes for open-sided non-habitable structures) No Yes

If no to all of (i) - (iii) above - (Complete Form 1, Part N) This application requires assessment by the Environmental Protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - NOTIFIABLE ACTIVITY

3.7 Is any part of the land forming the premises currently used for a notifiable activity, or if there is no existing use was it last used for a notifiable activity?

- No - Go to Q3.8 Yes

If yes, does one or more of the following apply?

- (i) A suitability statement, removing the land from the environmental management register, has been given under the *Environmental Protection Act 1994* for the existing use, or if there is no existing use, the last use, and the following **both** apply -
 - no new notifiable activity has occurred on the land since the suitability statement was issued; No Yes
 - the land is not otherwise contaminated by a hazardous contaminant
- (ii) A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -
 - the fit-out of a building on the land; or No Yes
 - minor site excavation, including for example, post holes for open-sided non-habitable structures

If no to both (i) and (ii) above - *(Complete Form 1, Part N) This application requires assessment by the Environmental Protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.*

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - INDUSTRIAL ACTIVITY

3.8 Is any part of the premises currently used for an industrial activity (*other than for a mining activity or petroleum activity*), or if there is no existing use was it last used for an industrial activity (*other than for a mining activity or petroleum activity*)?

No - Go to Q3.9 Yes

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - AREA MANAGEMENT ADVICE (NATURAL MINERALISATION OR INDUSTRIAL ACTIVITY)

3.9 Is any part of the premises in an area for which an area management advice has been given for natural mineralisation or industrial activity (*other than for a mining activity or petroleum activity*)?

No - Go to Q3.10 Yes

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - AREA MANAGEMENT ADVICE (UNEXPLODED ORDNANCE)

3.10 Is any part of the premises in an area for which an area management advice has been given for unexploded ordnance?

No - Go to Q3.11

Yes - *(Complete Form 1, Part N) This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.*

IP Regulation, schedule 2, table 2, item 21(b)

SEQ REGIONAL PLAN

3.11 Is any part of the premises within the South East Queensland (SEQ) Regional Plan area?

No - Go to Q3.12 Yes

If yes, is the application seeking approval for subdivision^{3 1}?

No - Go to Q3.12 Yes - Answer both (a) and (b) below.

^{3 1}For the purposes of the SEQ Regional Plan, subdivision means - (a) creating a lot by subdividing another lot; or (b) dividing land into parts by agreement (other than a lease for a term, including renewal options, not exceeding 10 years) rendering different parts of a lot immediately available for separate disposition or separate occupation)

(a) Is any part of the premises located within a Major Development Area and not included in a structure plan as defined under the SEQ Regional Plan Regulatory Provisions?

No - Go to (b) Yes

(b) Is any part of the premises within the Regional Landscape and Rural Production Area or in the Investigation Area?

No - Go to Q3.12

Yes - Answer (i) - (iii)

IP Regulation, schedule 2, table 2, item 35

KOALA CONSERVATION

3.12 Is any part of the premises in a koala conservation area or koala sustainability area?

- No - Go to Q3.13
 Yes

IP Regulation, schedule 2, table 2, item 33

CANAL DEVELOPMENT

3.13 Is the proposed reconfiguration in connection with the construction of a canal?

- No - Go to Q3.14
 Yes - (Complete Form 1, Part M) This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 13(b)

DECLARED CATCHMENT AREA

3.14 Is the proposed reconfiguration in an area declared to be a catchment area under the *Water Act 2000*?

- No - Go to Q3.15
 Yes

IP Regulation, schedule 2, table 2, item 19

PUBLIC PASSENGER TRANSPORT

3.15 Is the proposed reconfiguration listed in schedule 13A of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

- No - Go to Q3.16 Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 30; IP Regulation, schedule 13A

RAIL TRANSPORT

3.16 Is the proposed reconfiguration listed in schedule 13B of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

- No - Go to Q3.17 Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 31; IP Regulation, schedule 13B

WETLAND; CONSERVATION ESTATE

3.17 Does the proposed reconfiguration result in more than 10 lots or any lot less than 5ha in area?

- No - Go to Q3.18 Yes - (Answer (a) and (b) below)

IP Regulation, schedule 2, table 2, items 38 and 39

HERITAGE

3.18 Does the proposed reconfiguration involve a lot sharing a common boundary with a Queensland Heritage place under the *Queensland Heritage Act 1992*?

- No - End of Section 3
 Yes - This application must be referred to the Environmental Protection Agency (EPA) as Advice Agency. - End of Section 3

IP Regulation, schedule 2, table 2, item 41

WILD RIVER AREA - Although legislation provides for assessment of lot reconfiguration for the purposes of the *Wild Rivers Act 2005*, currently no declarations for any of the wild river areas apply the Wild Rivers code to that type of development.

Disclaimer:

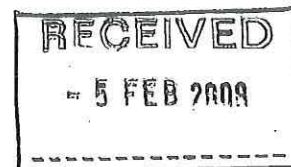
While the Department of Infrastructure and Planning (DIP) believes that this information contained on this form and provided as part of this process will be of assistance to you, it is provided on the basis that you will not rely on the information without first making your own enquiries regarding the interpretation and application of the applicable legislation to your circumstances.

To the full extent permitted by law DIP expressly disclaims all liability (including but not limited to liability for negligence) for errors or omissions of any kind or for any loss (including direct and indirect losses), damage or other consequence which may arise from your reliance on this process and the information contained on this form.

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RTI Act 2009

29 January 2008

Site ID: 78766
File Number: BNE35046
Enquiries to: Contaminated Land Unit
Telephone: (07) 322 58487



MIROSE PTY LTD
PO BOX 3144
SOUTH BRISBANE QLD 4101

NOTICE OF LAND LISTED ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 374 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 2 Plan: SP182880
NOOSA SHIRE COUNCIL

28 EENIE CREEK ROAD
NOOSAVILLE QLD 4565

The parcel of land has been recorded on the EMR as, after careful consideration of submissions, it is decided that the land has been, or is being used, for the following notifiable activities pursuant to section 374 of the *EP Act*. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

SERVICE STATIONS - operating a commercial service station.

The owner may apply for a review of the decision to record the land in the EMR within 14 days after receipt of this notice, in accordance with section 521 of the *EP Act*. If you decide to apply for a review you must, in accordance with section 521(3), also give notice to the local government that you are seeking a review. You must forward to the local government the following documents:

- a notice of the application (the "review notice");
- a copy of the application and supporting documents.

The review notice must inform the local government that submissions on the application may be made within 7 days after the application is made to the EPA, as required by section 521(4) of the *EP Act*. A land owner dissatisfied with a review decision may appeal against the decision in accordance with section 531 of the *EP Act*. A copy of sections 521 and 531 is attached to this notice.

Please note that the listing of a site on the EMR does not imply that the EPA considers the site to be "contaminated", nor does it require that the land be investigated and remediated. The listing does not imply that this site is unsuitable for its current use, nor does it imply that you are in breach of any conditions set out in any existing Environmental Authority issued for this site. Remediation would be needed if there were evidence that the site presented an unacceptable health or environmental risk for its current use. In the event that the site is redeveloped, the EPA may require that remediation or management of any contamination be conducted to protect public health and the environment.

It should also be noted that, with the issuing of this Notice under section 374, the following requirements apply under section 421 of the *EP Act*.

If the owner proposes to dispose of the land to someone else, the owner must, before agreeing to dispose of the land, give written notice to the buyer that the particulars of the land have been recorded in the register.

Further information regarding this notice may be obtained by contacting the Contaminated Land Unit, EPA on telephone (07) 322 58487. Further information about contaminated land matters may be obtained by visiting our web-site at: www.epa.qld.gov.au/environment/business/contaminated.

sch4p4(6) Personal information

Delegate of Administering Authority
Environmental Protection Act 1994

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RTI Act 2009

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F: 07 3004 6899

www.stockwell.com.au

ABN 50 010 095 360

15 April 2008

The Chief Executive Officer
Noosa Council
PO 141
TEWANTIN QLD 4565

Dear Sir/Madam,

The undersigned is the registered owner of a development application over, land at 28 Eenie Creek Road, Noosaville, more properly described as Lot 2 on SP 182880, County of March, Parish of Tewantin. Specifically, the development application is for Reconfiguration of Lot for Noosa Civic Stage 2.

As the owner, we hereby give our consent in relation to this development application.

Yours faithfully,

sch4p4(6) Personal information

16.4.08

...
Director/Secretary
Mirose Pty Ltd
ACN 010 278 118

Name

...
Date

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**PROPOSAL REPORT
RECONFIGURING A LOT**
Noosa Civic Stage 2

April 2008

Published on [ESD Disclosure Log](#)
RTI Act 2009

Prepared by s214p4(6) Personal information

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1. EXECUTIVE SUMMARY

This Proposal Report accompanies a Code Assessable Reconfiguration of a Lot application which seeks to create a new Lot. The proposal supports Stage 2 of the ongoing development of the Noosa Civic Centre. The development application is supported by this Proposal Report and has been assessed against the relevant and applicable provisions of the statutory town planning framework.

The particulars of the site and the Applicant are summarized below:

ADDRESS	Noosa Civic, 28 Eenie Creek Road, Noosaville
LOT DESCRIPTION	Lot 2 on SP182880, County of March, Parish of Tewantin.
SITE AREA	33.14ha
OWNER	Mirose ACN 010 278 118
LOCALITY	Noosaville
ZONE	<ul style="list-style-type: none"> • Shire Business Centre Zone • Precinct B3
APPLICANT	W.A. Stockwell Pty Ltd ACN 010095360
APPLICANTS REPRESENTATIVE	sch4 (6) Personal information W.A. Stockwell Pty Ltd PO Box 3144 South Brisbane QLD 4101 P: 07 30046858

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2. INTRODUCTION

2.1. Report Purpose

Mirose Pty Ltd, a subsidiary company of W.A. Stockwell Pty Ltd ("Stockwell"), owns the Noosa Civic Centre (Noosa Civic) situated at 28 Eenie Creek Road, Noosaville and described as Lot 2 SP182880.

This Proposal Report is submitted to the Sunshine Coast Regional Council (Tewantin Office) in support of a Reconfiguration of Lot development application which seeks to subdivide 1.002ha of land from Lot 2 SP182880 for Noosa Civic Stage 2.

The Proposal report details the characteristics of the site along with the statutory framework against which the proposed reconfiguration is to be assessed.

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3. THE SITE

3.1. Location

The subject site is located at 28 Eenie Creek Road, Noosaville described as Lot 2 on SP182880, County of March, Parish of Tewanin.

Refer to **Figure 1** – Subject Site

3.2. Current Use and Context of the Site

The subject site represents the majority part of the Noosa Shire Business Centre (SBC), which is designated under the Noosa Shire Council Planning Scheme. The Noosa Shire Business Centre comprises a total of 70.55 hectares of land, of which Mirose Pty Ltd (a wholly owned subsidiary of W.A. Stockwell Pty Ltd), owns the 33.14 hectares which comprises Lot 2 on SP182880.

The Noosa Shire Business Centre is intended to develop as the business and employment focus of the Shire and continues to be developed in stages.

Refer to **Figure 2** – Noosa Shire Business Centre Map.

Stage One involved the establishment of the Noosa Civic Shopping Centre – a discount department store based shopping centre of approximately 23,900 sqm GFA, along with the 7,200 sqm GFA Emporium retail showrooms development, a service station and around 4,925 sqm GFA of commercial office space. Stage One opened in October 2006 and therefore represents the current use of the site.

Stage 2 is the subject of a development application (MCU application 2007/1461) currently before council and proposes the development of a Business Park comprising approximately 7701m² GFA of commercial floor space. It is proposed to create this precinct into a new Lot to enable the site to be registered as a separate interest (i.e. Community Title Scheme) from Stage 1 and other undeveloped areas.

Stage Three is the subject of a further application (MCU application 2007/2538) and seeks to extend the existing Noosa Civic Shopping Centre in the retail core of the Shire Business Centre.

3.3. Road Frontages and Access

The subject site has frontages to Eenie Creek Road (approximately 730m) and Walter Hay Drive (approximately 1,030m), both of which are designated by Noosa Shire Council as part of the major road network. Neither road is a State-controlled road.

Eenie Creek Road runs generally in an east – west direction along the northern boundary of the subject site.

Walter Hay Drive runs generally along the eastern boundary before dividing the subject site at the northern-eastern corner and intersecting with Eenie Creek Road at a roundabout.

Vehicular access and site servicing is currently provided from both Eenie Creek Road and Walter Hay Drive. Both intersections function as roundabouts.

An additional roundabout intersection has been constructed on Walter Hay Drive at the southern end of the site in anticipation of future development. However, this intersection does not currently provide access into the site.

Pedestrian and cyclist access to the site is primarily provided via path from the Eenie Creek Road frontage, via a network of footpaths/bikeways. Tunnels have previously been constructed under both Eenie Creek Road and Walter Hay Drive to provide safe cyclist and pedestrian access to the subject site.

3.4. Easements

The subject site is affected by a number of easements, the particulars of which are summarised as follows:

EASEMENT NO.	DESCRIPTION
Easement 602533547 (G983354)	Burdens the subject site in gross in favour of the South East Queensland Electricity Board (as it was known at the time) for the purposes of conveying, distributing and transforming electricity over, across and on the subject site.
Easement 602533548 (H49699)	Burdens part of the subject site at the north-western corner adjacent to Eenie Creek Road in favour of Noosa Shire Council for the purposes of sewerage drains, pipes and pumping station.
Easement 602533554 (L463025D)	Burdens the subject site in gross in favour of Noosa Shire Council for the purposes of water supply.
Easement 710212346	Burdens part of the subject site at the north-eastern corner adjacent to Eenie Creek Road in favour of Noosa Shire Council for the purposes of entering the subject site to maintain, repair and replace an open drainage channel and drain water over the subject site.
Easement 710227520	Burdens part of the subject site at the north-western corner adjacent to Eenie Creek Road in favour of Noosa Shire Council for the purposes of sewerage drains and pipes.
Easement 710227521	Burdens part of the subject site along the northern and western boundaries in favour of Noosa Shire Council for the purposes of water supply and sewerage drains and pipes..
Easement 710227522	Burdens parts of the subject site adjacent to Walter Hay Drive in favour of Noosa Shire Council for the purposes of drainage.
Easement 710227524	Burdens the subject site in gross in favour of Energex Ltd for the purposes of conveying, distributing and transforming electricity over, across and on the subject site.

Refer Appendix A - Current Titles Search and Survey Plans and Appendix B- Easement Documentation for further details.

3.5. Covenants

Four separate parts of the site are subject to a statutory covenant, made between Mirose Pty Ltd and the Noosa Shire Council pursuant to the *Land Title Act 1994*, which seeks to preserve existing native vegetation on the land. The covenanted areas generally correspond with areas identified on the Shire Business Centre map as OS3, OS5 and OS7 Open Space Precincts, as well as an additional area at the southern most part of the site, adjacent to Eenie Creek.

The terms of the covenant provide that existing vegetation is generally preserved. However, the covenant does allow that fixtures, buildings, structures or paths which would otherwise have been prohibited may be constructed within the covenanted areas where shown on plans approved by Noosa Shire Council or its successors.

Refer to Appendix C - Covenant Documentation for further details.

3.6. Topography

The site is generally flat to gently sloping, with the natural ground level varying between RL 5.3m and RL 8.3m.

The subject site is identified in the Noosa Shire Planning Scheme ("*Noosa Plan*") as forming part of a system of lowlands which flow to Lake Weyba and the Noosa River.

A drainage corridor is also situated on the subject site, running generally in a north-east to south-west direction to Eenie Creek south of the site. This corridor has been designated by *Noosa Plan* as OS7 - Open Space (Environmental Drainage) precinct.

3.7. Significant Flora and Fauna and Waterway Values

That part of the subject site upon which the existing Noosa Civic Shopping Centre is constructed has been extensively cleared and developed.

The area of the subject site upon which the proposed Reconfiguration of Lot development is situated is partially vegetated (0.5ha) and partially cleared (0.5ha)

The subject site is devoid of any remnant endangered, remnant of concern or remnant not of concern vegetation or essential habitat.

There are no records of flora species found on the site that are listed as vulnerable or endangered under the *Nature Conservation Act 1992* or the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

The subject site is situated in a designated Urban Koala Area, a statutory area identified by the South East Queensland Regional Plan pursuant to the *Integrated Planning Act 1997* as a known koala habitat.

A waterway corridor or wetland is not located on the subject site. However, Eenie Creek is located on an adjacent property to the south of the subject site and flows to Lake Weyba to the east.

The site is situated approximately 2.4km west of Lake Weyba and 2km south of Noosa River Wetlands, two areas identified as nationally important wetlands in the Directory of Important Wetlands in Australia (DIWA).

3.8. Site Contamination and Notifiable Activity

The subject site contains a Petrol Station which is registered with the Environmental Protection Agency as a notifiable activity and listed on the Environmental Land Register.

Refer to **Appendix D - Notice of Land listed on Environmental Management Register**

3.9. Heritage Context

The subject site is not identified as a heritage site of local significance and is not included on the Queensland Heritage Register pursuant to the *Queensland Heritage Act 1992*.

Further, the subject site is not listed on the Aboriginal and Torres Strait Islander Cultural Heritage Database or the Aboriginal and Torres Strait Islander Cultural Heritage Register maintained by the Department of Natural Resources.

Refer to **Appendix E - Aboriginal and Torres Strait Islander Cultural Heritage Register Extract**.

4. PROPOSED DEVELOPMENT

4.1. Application Details

This application is being made for a Development Permit (Reconfiguring a Lot). The application includes:

- Application forms – Form 1, parts A, F, N and Assessment Checklist;
- Owners Consent; and
- Proposal Report.

4.2. Proposal Description

The extent of the proposed Reconfiguration of Lot is indicated on the Subdivision Plan prepared by Bennett and Francis (Proposed Subdivision of Lots 3 & 4, canceling Lot 2 on SP182880) and attached in **Appendix F – Proposed Plan of Subdivision**.

Proposed Lot 4 is for Noosa Civic Stage 2 which is currently the subject of a code assessable Material Change of Use application (2007/1461) for the purpose of a “Business Centre”.

The proposal responds to the precincts intent to “*provide primarily for **Commercial business uses***” and has regard to the environmental sensitivities of the area and provides for an Environmental Protection Area (OS3) to the north of the site. The proposed development comprises of four separate buildings to accommodate a mix of tenancy sizes with at grade and basement carparking. The buildings will accommodate a total gross floor area of 7701m² yielding a plot ratio of 0.7.

Attached in **Appendix G** is a copy of the Proposal Plans for Stage 2.

5. STATUTORY FRAMEWORK

5.1. Integrated Planning Act 1997 (IPA)

The Integrated Planning Act 1997 (IPA) provides the overall statutory planning framework for Queensland. The subject site is included within the jurisdiction of the Noosa Shire Council Planning Scheme (the planning scheme), which came into effect on 03 February 2006. Accordingly, the Noosa Shire Council planning scheme should be read in conjunction with the IPA.

The Integrating Planning Act defines reconfiguring a lot as –

- (a) *creating lots by subdividing another lot; or*
- (b) *amalgamating 2 or more lots; or*
- (c) *rearranging the boundaries of a lot by registering a plan of subdivision; or*
- (d) *dividing land into parts by agreement (other than a lease for a term, including renewal options, not exceeding 10 years, or an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community management Act 1997) rendering different parts of a lot immediately available for separate disposition or separate occupation; or*
- (e) *creating an easement giving access to a lot from a constructed road.*

The proposal is applying to create a new 1.002ha lot by subdividing the existing 33.14ha in Lot 2 SP182880. As required under the planning scheme the reconfiguration of a lot is subject to Code Assessment.

In assessing the development application, Council as the assessment manager must have regard to section 3.5.4 of the *Integrated Planning Act 1997*, which provides:

“3.5.4 Code Assessment

- (1) *This section applies to any part of the application requiring code assessment.*
- (2) *The assessment manager must assess the part of the application only against*
 - a. *applicable codes (other than concurrence agency codes the assessment manager does not apply); and*
 - b. *subject to paragraph (a) – the common material; and*
 - c. *if they are not identified in the planning scheme as being appropriately reflected in the planning scheme –*
 - i. *State planning policies, or parts of State planning policies; and*
 - ii. *For the planning scheme of a local government in the SEQ region – the SEQ regional plan; and*
 - d. *if the assessment manager is an infrastructure provider – the priority infrastructure plan...”.*

In deciding the development application, Council as the assessment manager must have regard to section 3.5.13 of the *Integrated Planning Act 1997*, which provides:

“3.5.13 – Decision if application requires code assessment

- (1) *This section applies to any part of the application requiring code assessment.*
- (2) *The assessment manager must approve the application if the assessment manager is satisfied the application complies with all applicable codes whether or not conditions are required for the development to comply with the codes.*

- (3) Subject to subsection (2), the assessment manager's decision may conflict with an applicable code only if there are sufficient grounds to justify the decision despite the conflict having regard to –
- a. the purpose of the code;
 - b. if they are not identified in the planning scheme as being appropriately reflected in the planning scheme –
 - i. State planning policies, or parts of State planning policies; and
 - ii. For the planning scheme of a local government in the SEQ region – The SEQ regional plan...”

5.2. State Planning Policies

The development application must have regard to all relevant and applicable State Planning Policies, which are not incorporated or reflected in the Noosa Shire Council planning scheme. No State Planning Policies which have not been reflected in the planning scheme are relevant to the subject site and the proposed reconfiguration.

5.3. Referral

The development application triggers referral to the following Referral Agencies (Concurrence, Advice and Third Party Advice) under the provisions of the Integrated Planning Act 1997 and the Integrated Planning Regulation 1998.

Environmental Protection Agency

Part of the site is used as a service station and is registered on the Environmental Management register. The development application is therefore referable to the Environmental Protection Agency (Contaminated Land Unit) as a Concurrence Agency.

Energex

The subject site is burdened by an easement on the land for a transmission grid or supply network in favour of Energex. The application is therefore referable to Energex as an Advice Agency.

5.4. South East Queensland Regional Plan

The South East Queensland (SEQ) Regional Plan came into effect on 30 June, 2005 and was subsequently amended by Amendment One on 31 October 2006. The Regional Plan seeks to guide growth and development in the South East Queensland region to 2026.

The provisions of the SEQ Regional Plan (as amended) are applicable to land within the jurisdiction of Noosa Shire Council and, therefore, to the site.

The site is wholly included in the Urban Footprint under the SEQ Regional Plan.

At a broader scale, Noosa is designated as a Major Activity Centre for the purposes of the SEQ Regional Plan.

5.5. Regulatory Provisions

The Amendment One Regulatory Provisions of the SEQ Regional Plan apply in addition to any relevant matters applying under a planning scheme for assessing and deciding a development application.

The Amendment One Regulatory Provisions of the SEQ Regional Plan define an Urban Activity as follows:-

- (1) *Urban activity means a residential, industrial, retail, commercial, sporting, recreation, tourism or community activity...*

For the purposes of the SEQ Regional Plan, the proposal therefore constitutes an Urban Activity on land within the Urban Footprint. As a consequence, none of the subdivisions of the Regulatory Provisions (which provide additional development assessment criteria for stated development in particular areas) are applicable to this development application.

5.6. Regional Policies

Under the SEQ Regional Plan, and as far as can be determined from the broad scale mapping, the subject site is not affected by any designation on the SEQ Regional Plan policy maps, except to be broadly identified as part of the Noosa Major Activity Centre on Map 8.

5.7. Noosa Shire Council Planning Scheme

Development on land within the jurisdiction of Noosa Shire is regulated by the Noosa Shire Council Planning Scheme, which came into force on 03 February 2006. The planning scheme comprises a series of structural elements which the following sections identify and briefly discuss, to the extent they apply to the proposed development.

The development application is subject to the procedures of Code Assessment under the Noosa Shire Council Planning Scheme. The following Code is considered relevant to the assessment of this application:

- Reconfiguring a Lot Code

6. Schedule of Noosa Plan Compliance

The following Table provides a detailed analysis of the proposed development in terms of the Reconfiguring a Lot Code.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE RECONFIGURING A LOT CODE				
14.187 Lot Size and Dimensions				
Setbacks				
O1	<p>Lots have the appropriate area³³ and dimensions to provide for—</p> <p>a) the intended use and, if not intended to be used by the Council or State for community infrastructure, conservation purposes or public utilities including road widening are not less than the minimum sizes specified in Table 14-62—Minimum Allotment Areas; and</p> <p>b) if for <i>residential development</i>—</p> <p>i) a <i>house site area</i> of not less than that specified in Table 14-63; and</p> <p>ii) if not within a <i>sewerage service area</i>, an <i>effluent disposal area</i>;</p> <p>c) siting and construction of buildings to minimise risk of soil erosion, landslide, flooding and bushfire;</p> <p>d) siting and construction of buildings to minimise detrimental impacts of effluent disposal and water quality impacts;</p> <p>e) retention of natural environmental values, including native vegetation;</p> <p>f) retention of cultural features and protect views to cultural features;</p>	S1.1	<p>If for reconfiguration other than community title subdivision, Council will require the following—</p> <p>a) Minimum lot area and minimum average width consistent with the relevant provisions of Table 14-62;</p> <p>AND</p> <p>b) If for <i>residential development</i>—</p> <p>i) the minimum <i>house site area</i> is not less than that specified in Table 14-63; and</p> <p>ii) if not in a <i>sewerage service area</i> an <i>effluent disposal area</i> is provided.</p>	<p>a) Complies - the Lot size proposed is 10020m².</p> <p>b) N/A the site is for Commercial Development.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
	<p>g) minimisation of earthworks or retaining walls associated with building construction on steep slopes;</p> <p>h) private and public open space and on-site landscaped areas; and</p> <p>i) convenient vehicle access and on-site parking, loading and manoeuvring areas.</p> <p>OR</p>		
02	<p>If for community title subdivision—lots have the appropriate area and dimensions to provide for the intended use and—</p> <p>a) if for Detached housing, are not less than the minimum sizes specified in Table 14-63; or</p> <p>b) if for other residential uses are not less than 200m²</p>		N/A
14.188 Noosa North Shore Locality			
03	No additional lots are created within the Noosa North Shore Locality.	No solution provided	N/A
14.189 Lake Macdonald Water Supply Catchment Area			
04	No additional lots are created within the Lake Macdonald Water Supply Catchment identified on Overlay Maps OM3.5 and OM9.5.	No solution provided.	N/A
14.190 Lot layout34			

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
05	<p>Subdivision of land for <i>residential development</i> provides for a neighbourhood with a strong and positive identity through—</p> <p>a) legible streets and open space networks;</p> <p>b) integrating prominent site features, including landmarks, native vegetation and views into the design;</p> <p>c) the location of community, retail and commercial facilities at focal points either within convenient walking distance for residents where the development is <i>urban settlement</i> or within reasonable vehicular proximity;</p> <p>d) the location of lots intended for <i>urban settlement</i> within proximity of retail and commercial facilities;</p> <p>e) shared use of public facilities by adjoining communities;</p> <p>f) enhancement of personal safety and minimisation of potential for crime, vandalism and fear by maximising opportunities for casual surveillance of public spaces; and</p> <p>g) establishment of a sense of place.</p>	S5.1	<p>Lots are arranged to front streets and <i>public open space</i>;</p> <p>AND</p>	N/A land is for commercial development.
		S5.2	<p><i>Rear lots</i> have views over <i>public open space</i>;</p> <p>AND</p>	N/A land is for commercial development.
		S5.3	<p>Lots intended for <i>urban settlement</i> are located within 1km of retail or commercial uses or land within a <i>commercial zone</i>.</p>	N/A land is for commercial development.
06	<p><i>House site areas</i> are—</p> <p>a) located at least 50m from any land including within a national park, conservation park, state forest reserve, nature refuge, coordinated conservation area or wilderness area; and</p> <p>b) not located on <i>steep slopes</i>.</p>		No solution provided.	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
07	Lots for residential development are designed to ensure variety in residential streetscapes.	S7.1	A variety of lot sizes and shapes is provided within the subdivision.	N/A
08	The street network— a) has design features, which convey the primary function of each type of street and encourage driver behaviour, speeds and traffic volumes that are safe and appropriate to that function; b) provides a high level of internal accessibility both within the site and to external sites and appropriate external connections for vehicles, pedestrian and cycle movements; c) deters through-traffic from residential areas and creates safe conditions for local road users, pedestrians and cyclists; d) incorporates street junctions and access to lots that are located and spaced to facilitate safe and convenient vehicle movements; e) provides for street widths and lengths that optimise the cost effectiveness of the network and the provision of public utilities; f) provides for road reserve widths not less than the minimum identified Section 2.3 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks; g) minimises the extent of earthworks required by being sympathetic to the terrain; h) has no significant adverse effects on habitat corridors or areas of significant native	S8.1	Where involving the construction of a new road, road planning and design supports the hierarchy and functional aspects identified in Sections 2 and 3 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks; AND	N/A
		S8.2	Road and pathway planning and design is in accordance with, in order of precedence— a) Noosa Integrated Local Transport Plan; b) Queensland Transport's Shaping Up c) Queensland Design Code for Residential Streets; d) AUSTRROADS Guide to Traffic Engineering Practice; e) Sections 2 and 3 of PSP5 Engineering Design Standards- Roads, Drainage and Earthworks; f) The Noosa Cycling and Walking Network Development Plan; or g) A combination of the principles in these documents; AND	N/A
		S8.3	The achievement of multiple connections for all roads and streets (excluding culs-de-sac) within the subdivision and to adjoining subdivisions; AND	N/A
		S8.4	Road networks provide connectivity between residential areas, both internally and to adjoining sites, using access roads AND	N/A

	SPECIFIC OUTCOMES	PROBABLE SOLUTIONS	COMPLIANCE
	vegetation; i) does not create noise attenuation difficulties; j) incorporates pedestrian and cyclist crossings at intersections or where required to access high activity nodes and public transport; k) has regard to the potential for conflict between vehicles, pedestrians and cyclists; and l) incorporates on-road cycling facilities.	S8.5 The length of a cul-de-sac does not exceed 200m in urban areas and 500m in rural areas; AND	N/A
		S8.6 The layout uses street and road design, including variations in carriageway width, as a traffic calming measure to encourage lower traffic speeds. (Note: Carriageway widths are identified in Section 2.3 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks.) AND	N/A
		S8.7 On-road cycling treatment is utilised to provide safe and continuous movement of cyclists along a roadway such as— a) sealed shoulders; b) wide kerbside lane; c) exclusive or peak period bicycle lane; d) advisory treatments such as Bicycle Awareness Zone; e) shared parking / bicycle lane; f) contra flow bicycle lane; or g) bus/bicycle lane; AND	N/A
		S8.8 The provision of bicycle lanes at intersections are generally in accordance with AUSTROADS Part 14, section 5 and Manual of Uniform Traffic Control Devices (MUTCD) Part 9.	N/A
09	The development contains a pathway system that encourages walking and cycling and provides a safe <i>environment</i> for users, and is— a) a stable, smooth surface, including across driveways, sections and joins; b) easily maintained; c) of a width and longitudinal gradient to cater for projected usage	S9.1 Subdivision design and layout provides for walking and cycling routes designed and constructed in accordance with— a) Sections 2 and 3 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks; b) AUSTROADS Parts 13 and 14; and c) The Noosa Cycling and Walking Network Development Plan; AND	Complies – the proposal abuts a pedestrian and cycle path provided with Noosa Civic Stage 1.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
<p>d) inclusive of clear sight-lines for safe use; e) be free of any obstructions such as fences, signage and bollards.</p>	S9.2	<p>If within 1km of the Pathways Network identified on Map 2 of Schedule 5, the subdivision design and layout includes pathways—</p> <p>a) located in accordance with the Pathways Network identified on Map 2 of Schedule 5; or</p> <p>b) linking to the Pathways Network identified on Map 2 of Schedule 535; AND</p>	N/A
	S9.3	<p>Pedestrian routes are planned to provide clear, safe connections between residential, open space, transit stops and retail areas, and are located along, or are visible from, streets or other public spaces; AND</p>	N/As
	S9.4	<p>Primary pedestrian routes border the <i>frontages</i> of residential, public parks and business uses; AND</p>	N/A
	S9.5	<p>Pedestrian routes through parking lots or at the rear of lots are avoided; AND</p>	N/A
	S9.6	<p>Pedestrian and cycle path infrastructure is designed and constructed to—</p> <p>a) have sign posting, particularly where they are commuter and recreational paths, and incorporate pavement markings and line work in accordance with <i>AUSTROADS Part 14 Bicycles, Section 9</i>;</p> <p>b) have navigational signs generally in accordance with the <i>Manual for Uniform Traffic Control Devices Bicycle Directional Signage Guidelines</i>, and Australian Standard 1742.9: 2000 <i>Manual of Uniform Traffic Control Devices Bicycle Facilities</i>;</p> <p>c) be clearly delineated by pavement</p>	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			<p>markings and warning signs when an on-road bicycle lane;</p> <p>d) incorporate kerb ramps at all intersections and designated crossings;</p> <p>e) have refuge islands on all roads with median strips;</p> <p>f) have holding rails for cyclists at the intersection of district collector,; sub-arterial and arterial roads that are positioned in accordance with Australian Standard 1742.9:2000 – <i>Manual of Uniform Traffic Control Devices Bicycle Facilities</i>, and AUSTROADS Part 14 Bicycles Section 9;</p> <p>g) have marked bicycle lanes, bicycle awareness zones or storage boxes; and</p> <p>h) Include lighting to pedestrian and cycle pathways to local government requirements and in accordance with Australian Standard 1583.1 <i>Road Lighting – Pedestrian area (Category P) lighting</i>.</p>	
010	The subdivision layout is designed to facilitate linkages with adjoining sites in the immediate area.	S10.1	Where there is no relevant approved master plan, concept plan, or site analysis plan, subdivision design incorporates future road, street, cycleway and pedestrian path and open space connections to adjoining sites.	N/A
011	Where the lots are to be used for Industrial business or Commercial business uses , the layout provides for appropriate <i>buffer areas</i> , to mitigate possible impacts on nearby residences or other noise sensitive uses.		No solution provided.	Complies – the proposal provides for an Open Space area of 753m ² .
012	For lots in the Rural Settlement Zone—a sealed access to the nearest <i>urban settlement</i> is available.		No prescribed solution.	N/A
14.191 Water supply for fire fighting				

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
013	An adequate and accessible water supply is provided for fire fighting purposes.	S13.1	Each lot is connected to a reticulated water supply that is reliable and conforms to Council's Standards; OR	Complies- The Lot is connected to a reticulated water supply and provides a separate supply for fire fighting.
		S13.2	For areas not in a water <i>service area</i> , each lot has an accessible dam or a dedicated water tank for fire fighting and contains not less than 5,000 litres per <i>dwelling unit</i> ; AND	N/A
		S13.3	All tanks are fitted with a coupling suitable for attachment to fire fighting appliances.	Complies – tanks are fitted with attachments suitable for fire fighting appliances.
14.192 Energy efficiency				
014	The street and lot orientation facilitates the construction of energy efficient buildings that respond to the local climate conditions. AND	S14.1	For Community Title Development or urban <i>residential development</i> each lot contains a rectangular <i>house site area</i> where the long axis is within 20 degrees of true North and has minimum dimensions of— a) if the lot is between 450m ² and 599m ² - 10m x 15m; or b) if the lot is less than 450m ² - 9m x 15m. AND	N/A
		S14.2	Community Title Development lots are generally rectangular in shape and have a maximum <i>slope</i> of— a) 10% (1:10); and b) 5% (1:20) when measured from the front to the rear of the lot.	N/A
015	For <i>residential development</i> , the subdivision design provides for the maximum practicable number of lots with <i>house site areas</i> that— a) maximise solar access to the north in winter; b) minimise solar access to the east and west in the summer;	S15.1	No Solution provided	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	c) maximise access to any prevailing summer breezes; and d) minimise exposure to prevailing winter winds.			
14.193 Infrastructure				
O16	Each lot is capable of being serviced by appropriate levels of— a) water supply; b) reticulated sewerage; c) stormwater drainage; d) power supply; and e) telecommunications; AND	S16.1	All lots are connected to power supply and telecommunications services; AND	Complies - the lot is connected to power supply and telecommunications services.
O17	The design and provision of public services and utilities, including sewerage, water, electricity, street lighting and telecommunication services— a) meets the needs of users; b) ensures health, safety and convenience of the community; c) protects the natural environmental values of the site and surrounds, including visual amenity and native <i>vegetation</i> ; d) are cost effective over their life cycle; e) minimises adverse impacts to the <i>environment</i> (including the amenity of the local area) in the short and long term; and f) ensures that the existing systems are upgraded or relocated to be capable of supporting the proposed development; AND	S17.1	For lots in <i>urban settlements</i> —power supply and communications infrastructure are provided underground; or	Complies – all infrastructure is provided underground
		S17.2	For lots elsewhere—power supply and communications infrastructure are provided underground unless— a) located in the Rural Zone or Rural Settlement Zone and where not in a Bushfire Hazard Area as defined on Overlay Maps OM1.4-OM9.4; b) new low voltage lines can be strung from poles carrying existing high voltage lines; or c) no extensions to the existing reticulation network is necessary; or d) it is necessary to cross a body of water; AND	N/A
		S17.3	Street lighting is provided in accordance with Section 3.19 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks; AND	Complies – Street lighting to be provided in accordance with S17.3

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S17.4	For lots not within a sewerage service area—the lot has sufficient area and other attributes to ensure sustainable on-site sewerage disposal ³⁶ ; Advisory note PSP24 – Effluent Disposal details requirements for the design and siting of effluent disposal systems where located outside a sewerage service area. Compliance with PSP24 will be considered as part of Council’s assessment of the plumbing and drainage application.	N/A
018	Essential public utilities are available and maintain their function during flood events up to a 1% AEP (1:100 year ARI) flood event.	S18.1	Components of the infrastructure that are likely to fail or may result in contamination are— a) located above the level of a 1% AEP (1:100 year ARI) flood event; or b) designed and constructed to exclude water inundation or infiltration and resist hydrostatic and hydrodynamic forces as a result of inundation.	N/A
019	Electricity supply Infrastructure Uses and works maintain a safe distance from electrical infrastructure including substations, overhead power lines, power poles and transformers.	S19.1	Building footprints are situated clear of any power easements on-site; AND	Complies – no power easements occur on the site.
		S19.2	Building footprints are not less than 50m from an existing fenced electricity substation.	Complies – the building footprint is not within 50m of an existing substation.
14.194 Earthworks and stormwater management³⁷				
020	Stormwater run-off is managed so as not to cause any adverse impacts on the built or natural environment including changes in quality, quantity or location of stormwater discharges.		No solution provided	Complies – Stormwater is to be treated and managed in accordance with the Stormwater Management Report prepared by Contours for MCU application 2007/1461.
021	Filling or excavation only occurs where it does not adversely impact on—		No prescribed solution.	Complies – refer to MCU application 2007/1461.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	a) <i>watercourses, drainage lines</i> and <i>wetlands</i> ; or b) vegetation on land identified on Biodiversity Overlay Maps OM1.1-OM9.1; or c) water levels on properties elsewhere.			
14.195 Landscaping and visual amenity				
O22	Land development responds to the distinctive landscape character of the site by utilising the natural features of the site, which include— a) <i>watercourses</i> and <i>drainage lines</i> ; b) significant trees; c) <i>understorey vegetation</i> ; d) rock outcrops; and e) views.	S22.1	The natural landform and landscape are not modified to accommodate the development.	Complies - refer to MCU application 2007/1461
O23	Native <i>vegetation</i> , including individual mature trees are retained, protected, maintained and supplemented, with particular consideration given to— a) roadsides; b) the amenity of adjoining land uses; and c) the protection of <i>environmentally sensitive areas</i> .	S23.1	<i>Buffers</i> of existing native <i>vegetation</i> around site boundaries and <i>environmentally sensitive areas</i> are retained and reinforced through additional planting; AND	Complies - the land denoted as OS3 is to be retained and protected.
		S23.2	For reconfiguring in the Rural Zone and Rural Settlement Zone— a) a 10m landscaped <i>buffer area</i> is provided along road <i>frontages</i> ; b) clearing and disturbance to <i>vegetation</i> is minimised around road works, laying of services and utilities and construction of property entrances; c) re-vegetation of disturbed areas occurs after completion of works; and d) planting of clusters of trees along the road reserves to form a tree canopy cover is provided	N/A
O24	Buildings and other structures do not have a significant adverse impact upon the visual amenity of surrounding areas.	S24.1	All lots include a building envelope that enables <i>buildings</i> and <i>structures</i> to be sited so they do not— a) protrude above ridgelines; or	Complies - refer to information provided in MCU application 2007/1461

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			b) result in the unnecessary removal of <i>vegetation</i> from the site.	
14.196 Open space				
O25	<p><i>Public open space</i> is design and located to—</p> <p>a) provide for a range of recreational settings and accommodate adequate and appropriate facilities to meet the needs of the community;</p> <p>b) provide a range of safe and easily accessible recreational opportunities for the community, except where dedicated for conservation purposes;</p> <p>c) contribute to the legibility, accessibility and character of the <i>locality</i>;</p> <p>d) create attractive environment settings and focal points;</p> <p>e) facilitate appropriate measures for stormwater and flood management;</p> <p>f) enable the retention and protection of significant <i>vegetation, wetlands, watercourses, drainage lines</i> and other native habitat areas, their associated <i>buffers</i> and linkages/corridors and natural and cultural features; and</p> <p>g) be cost effective to maintain³⁸.</p> <p>AND</p>	S25.1	<p>A minimum of 10% of the total site area, is provided as <i>public open space</i>;</p> <p>OR</p>	Complies – Stage 1 of Noosa Civic set aside more than 30% of the total site area which is provided as open space.
		S25.2	<p>Park contributions are paid in accordance with PSP12 Public Open Space Contributions;</p> <p>AND</p>	N/A
		S25.3	<p>A park has direct road <i>frontages</i> of a minimum of 25% of the total <i>allotment</i> boundary of the park to provide physical access and visibility;</p> <p>AND</p>	N/A
		S25.4	<p>Recreational facilities (including playgrounds, pergolas, barbeques etc.) within a dedicated open space area are setback a minimum of 30m from the top of the bank of a <i>watercourse</i> and 10 from the top of the bank of a <i>drainage line</i>;</p> <p>AND</p>	N/A
		S25.5	<p>Land intended for <i>public open space</i> complements existing adjacent and surrounding open space areas and provides linkages to these areas;</p> <p>AND</p>	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S25.6	Open space is provided adjacent to <i>watercourses</i> , with roads servicing the linear parkland and lots located on the opposite side of the road to the <i>watercourse</i> .	N/A
026	The natural environmental and cultural values of land in the Open Space Conservation Zone is not adversely affected by subdivision, and land in freehold tenure in this zone is not subdivided.	S26.1	Land in the Open Space Conservation zone is retained in one contiguous lot.	N/A
027	Adequate land is provided for active recreation ³⁹ and is of a physical standard and condition suitable for the intended uses and is not subject to physical or other constraints including contamination, biophysical constraints or legislative protection that would encumber its use.	S27.1	Active parkland is of a compact shape free of irregular boundaries and is no less than 1ha in size; AND	N/A
		S27.2	At least 60% of the <i>active parkland</i> provided within the development is unencumbered by legislation or covenants that would restrict its use for active recreation; AND	N/A
		S27.3	<i>Active parkland</i> is located on land that is exclusive of— a) flood inundation below the 20% AEP (1:5 year ARI level); b) land affected by stormwater or overland flow discharge from adjacent <i>allotments</i> ; c) drainage reserves and detention basins, which cannot be shown to safely and effectively contribute to the network of parks and open space areas; d) land with a slope, or subject to cut and fill with a batter slope, that exceeds a slope of 15% (1:67); e) areas of land less than 15m wide, such as	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			access and service and utility easements; f) land required to serve primarily as a <i>buffer area</i> to any existing development or major transport corridor; and g) power easements. AND	
		S27.4	At least 10% of the total open space provision for <i>active parkland</i> is exclusive of flood inundation below the 1% AEP (1:100 year ARI level or the highest recorded flood level, whichever is the greatest.	N/A
028	Availability and protection of resources Development does not limit the potential for the utilisation of extractive resources by creating conflicts of interest.	S28.1	No additional lots are created within Areas of Potential Extractive or Mining Resource Influence shown on Overlay Maps OM1.5–OM9.5.	N/A
14.197 Road and rail corridors				
029	Lots for <i>residential development</i> are not subjected to high traffic noise levels from the <i>major road network</i> or rail corridors.	S29.1	Lots intended for <i>residential development</i> are separated by a minimum of— a) 40m from the property boundary of roads within the <i>major road network</i> ; and b) 80m from the property boundary of rail corridors; OR	N/A
		S29.2	Development in the vicinity of road corridors meets the following external design criteria for roads in the <i>major road network</i> — 63dB(A)L10 (18hours) based on predicted traffic volumes ten years hence; OR	N/A
		S29.3	Development in the vicinity of rail corridors meets the following external design level noise criteria— a) 65dB(a), assessed as the 24hour average equivalent continuous weighted sound pressure level; and	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			b) 87dB(A), assessed as a single event maximum sound pressure level.	
14.198 Access easements				
030	Access easements are in appropriate locations for safe access and egress, and supply appropriate widths and levels of service for the number of vehicles that will utilise them.	S30.1	Access easements are designed in accordance Sections 2 and 3 of PSP5 Engineering Design Standards – Roads, Drainage and Earthworks.	Complies – refer to MCU application 2007/1461.
14.199 Traffic				
031	Traffic generated by the development is within the acceptable capacity of external roads and does not have an adverse impact upon the functioning of the road network40.	S31.1	Any required upgrading of external roads to the necessary standard to cater for the expected traffic numbers is undertaken at no cost to Council.	Complies – refer to MCU application 2007/1461.
14.200 Noosa Trail Network				
032	A comprehensive network of trails is established incorporating road reserves, State forests, Council owned land and private lands consistent with the lifestyle and outdoor recreation needs of the Shire's residents and visitors.	S32.1	The proposal includes linkages to existing or planned components of the Noosa Trail Network (refer Schedule 5, Map 3—Noosa Trail Network); OR	N/A
		S32.2	The proposal includes linkages between existing or planned components of the Noosa Trail Network (refer Schedule 5, Map 3—Noosa Trail Network).	N/A
033	The proposal does not have an adverse impact on the Noosa Trail Network.	S33.1	Existing or potential pedestrian, horse trail or bicycle movement linkages are retained or enhanced; or	Complies – the existing adjacent bike path is to be retained.
		S33.2	Alternative linkages are provided; AND	N/A
		S33.3	Linkages and associated infrastructure are designed, located and constructed in accordance with—	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			a) Australian Standard 2156.1 <i>Walking Tracks Part 1: Classification and Signage</i> to a minimum of a Class 4 Standard; and b) Australian Standard 2156.2 <i>Walking Tracks Part 2: Infrastructure Design</i> .	
14.201 Cooroibah Locality				
O34	Protection of existing residential amenity, road safety and access points The existing residential amenity of the estate is maintained without impacting on the natural landform and landscape; AND	S34.1	Each new allotment in the Rural Settlement Zone has 1ha free of flood hazard or biodiversity values as indicated on overlay maps OM2.1 and OM2.3; AND	N/A
		S34.2	<i>House site areas</i> on adjoining lots are separated by not less than 50m. AND	N/A
O35	The number of access points providing access to lots from McKinnon Drive is maintained or reduced.	S35.1	Shared driveways are provided; AND	N/A
		S35.2	No additional driveways are provided from McKinnon Drive	N/A
Table 14.58—Community title development				
14.202 Residential Uses				
O36	Uses Community title development only occurs if— a) there is a current development approval for the site approving one or more of the following uses: i) Multiple housing Type 2, Type 3, Type 4 or Type 5; or ii) Visitor accommodation Type 3 or Type 4; or		No solution provided.	N/A

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	b) The intended use is Detached houses and the minimum lot sizes are not less than identified for the relevant zone in Table 14-62.			
037	<p>Location and access to services and facilities Community title subdivisions only occur-</p> <p>a) where they are located within easy walking distance of services and facilities;</p> <p>b) in the Semi-attached Housing or Attached Housing Zones;</p> <p>c) where they are consistent with the character of the Locality they are located in;</p> <p>d) if appropriate <i>house site areas</i> can be accommodated;</p> <p>e) where they are supplied with adequate infrastructure to meet the needs of users;</p> <p>f) where they minimise adverse effects on the environment;</p> <p>g) if they are of suitable shape and slope to minimise constraints to development; and</p> <p>h) if they are of sufficient area to provide reasonable amenity for users.</p>	S37.1	<p>The development site is within 1km of land in the Neighbourhood Centre Zone, Business Centre Zone, Shire Business Centre Zone or Village Mix Zone;</p> <p>AND</p>	N/A
		S37.2	<p>The development is in one of the following Localities-</p> <p>a) Cooroy and Lake Macdonald Locality; or</p> <p>b) Eastern Beaches Locality; or</p> <p>c) Mary River Catchment Locality; or</p> <p>d) Noosa Heads Locality; or</p> <p>e) Noosaville Locality; or</p> <p>f) Tewantin and Doonan Locality;</p> <p>AND</p>	N/A
		S37.3	<p>Each residential lot can be connected to Council's water and sewerage networks;</p> <p>AND</p>	N/A
		S37.4	<p>Residential lots are generally rectangular in shape and have a maximum slope of-</p> <p>a) 10% (1:10) across the lot; and</p> <p>b) 5% (1:20) from the front to rear of the lot.</p>	N/A
038	<p>Provisions of amenities and site facilities</p> <p>Adequate areas on site are provided for vehicular parking, private and communal open space, landscaping and <i>site facilities</i> to meet the needs of users.</p>		No solution provided.	N/A
Business Uses				

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
039	<p>Location Community title subdivisions intended for Business Uses only occur in the—</p> <ul style="list-style-type: none"> a) Shire Business Centre Zone; or b) Business Centre Zone; or c) Industry Zone; or d) Neighbourhood Centre Zone; or e) Visitor Mixed Use Zone. 	No solution provided.	Complies- the subdivision is proposed within the Shire Business Centre Zone.
040	<p>Provision of services and facilities Adequate areas on site are provided for vehicular parking, private and communal open space, landscaping and site facilities to meet the needs of users.</p>	No solution provided.	Complies - refer to MCU application 2007/1461.

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7. Conclusion

This Proposal Report has been prepared in relation to a code assessable application for reconfiguring a lot on land situated at Noosa Civic, 28 Eenie Creek Road, Noosaville, which is described as Lot 2 SP182880.

It is considered that the proposed subdivision suitably addresses and satisfies the applicable Reconfiguring a Lot Code and is consistent with the intent and provisions of the Noosa Plan.

For these reasons, the proposal is considered to be highly compatible and worthy of favorable consideration. The proposed development should be approved subject to reasonable and relevant conditions.

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Figures

Figure 1 - Subject Site

Figure 2 - Noosa Shire Business Centre Map

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Figure 1 SUBJECT SITE

Published on RTI

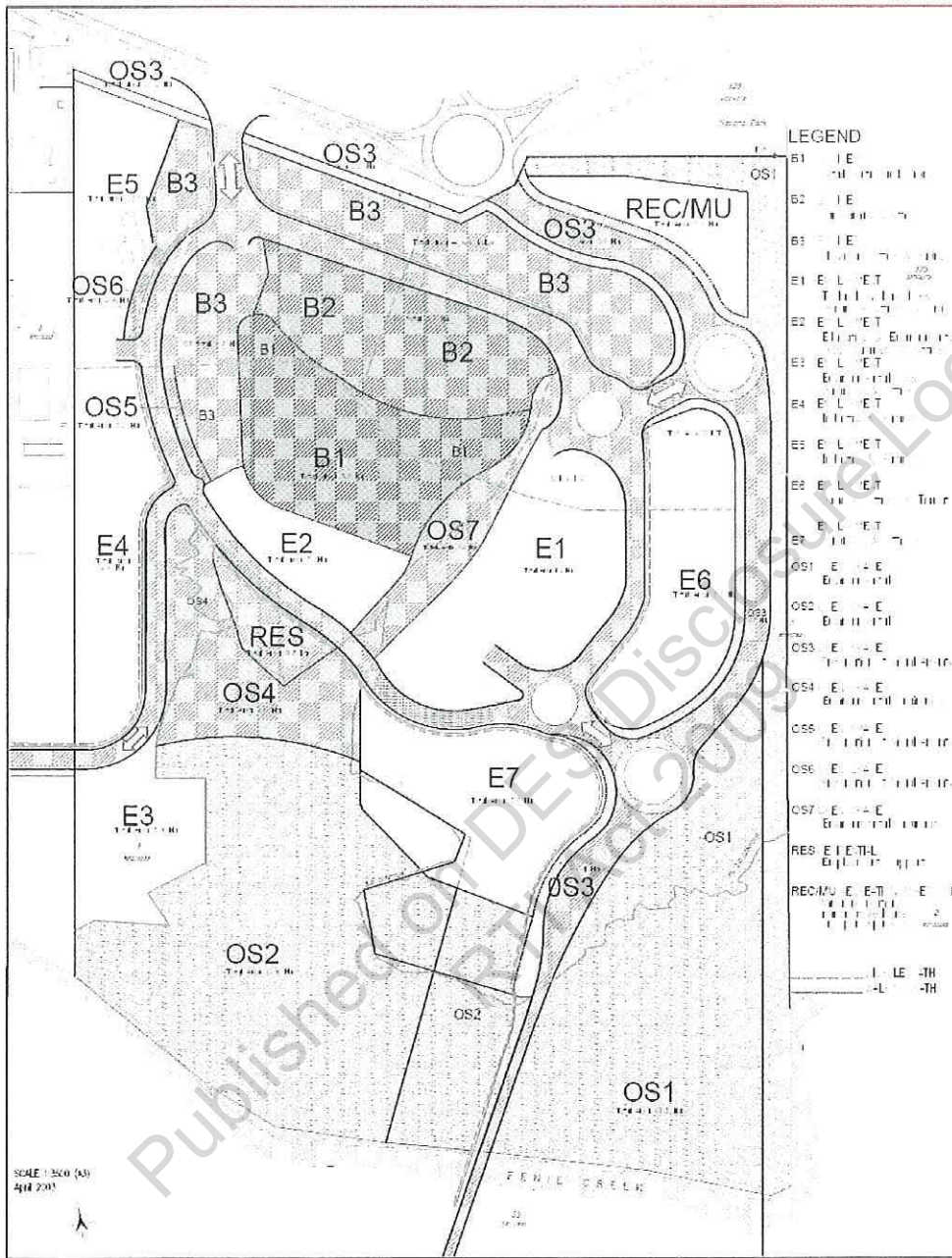


Figure 2 NOOSA SHIRE BUSINESS CENTRE MAP

Appendices

Appendix A – Current Title Search and Survey Plans

Appendix B – Easement Documentation

Appendix C – Covenant Documentation

Appendix D – Notice of Land Listed on AMR

Appendix E – Cultural Heritage Search

Appendix F – Proposed Plan of Subdivision

Appendix G – Proposed Plans Stage 2

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Appendix A -Current Title Search and Survey Plans

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CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

Previous Title: 50644775

REGISTERED OWNER

Dealing No: 710227519 04/01/2007

MIROSE PTY LTD A.C.N. 010 278 118

ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 182880
County of MARCH Parish of TEWANTIN
Local Government: NOOSA SHIRE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 11714027 (Lot 29 on CP MCH390)
2. EASEMENT IN GROSS No 602533547 (G983354) 12/05/1983
burdening the land
THE SOUTH EAST QUEENSLAND ELECTRICITY BOARD
over
EASEMENT D ON RP177294
3. TRANSFER No 703629293 13/10/1999 at 13:58
EASEMENT IN GROSS: 602533547 (G983354)
SOUTH EAST QUEENSLAND ELECTRICITY CORPORATION LIMITED A.C.N.
078 849 055
4. EASEMENT IN GROSS No 602533548 (H49699) 04/08/1983
BURDENING THE LAND
TO COUNCIL OF THE SHIRE OF NOOSA
OVER EASEMENT A ON RP183901
5. EASEMENT IN GROSS No 602533554 (L463025D) 23/04/1993
BURDENING THE LAND
TO COUNCIL OF THE SHIRE OF NOOSA
OVER EASEMENT W ON RP844425
6. MORTGAGE No 708119030 08/10/2004 at 09:06
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

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CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
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EASEMENTS, ENCUMBRANCES AND INTERESTS

7. EASEMENT IN GROSS No 710212346 22/12/2006 at 11:26
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENT E ON SP167978
8. COVENANT No 710227518 04/01/2007 at 08:24
COUNCIL OF THE SHIRE OF NOOSA
OVER COVENANTS I, J, K AND L ON SP182845
9. EASEMENT IN GROSS No 710227520 04/01/2007 at 08:24
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENTS P AND S ON SP182880
10. EASEMENT IN GROSS No 710227521 04/01/2007 at 08:25
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENTS Q AND R ON SP182880
11. EASEMENT IN GROSS No 710227522 04/01/2007 at 08:25
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENT T, U AND V ON SP182880
12. EASEMENT IN GROSS No 710227524 04/01/2007 at 08:26
burdening the land
ENERGEX LIMITED A.C.N. 078 849 055
over
EASEMENTS M AND N ON SP192396
13. LEASE No 710341326 15/02/2007 at 12:20
NOOSA MEAT FISH & POULTRY PTY LTD A.C.N. 099 569 810
OF PART OF THE GROUND FLOOR (LEASE 1002)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
14. LEASE No 710341332 15/02/2007 at 12:22
SUNFONES PTY LTD A.C.N. 107 580 530
OF PART OF THE GROUND FLOOR (LEASE 1004)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
15. LEASE No 710341336 15/02/2007 at 12:22
NOVELLINO PTY LTD A.C.N. 112 654 850
OF PART OF THE GROUND FLOOR (LEASE 1005/6)
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL

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CURRENT TITLE SEARCH

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Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
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EASEMENTS, ENCUMBRANCES AND INTERESTS

16. LEASE No 710341339 15/02/2007 at 12:24
HAIRHOUSE WAREHOUSE LOCATIONS PTY LTD A.C.N. 100 495 985
OF PART OF THE GROUND FLOOR (LEASE 1007)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
17. LEASE No 710341342 15/02/2007 at 12:25
SANITY MUSIC STORES PTY LTD A.C.N. 072 187 298
OF PART OF THE GROUND FLOOR (LEASE 1008)
TERM: 12/10/2006 TO 11/10/2009 OPTION 3 YEARS
18. LEASE No 710341346 15/02/2007 at 12:26
ELECTRONICS BOUTIQUE AUSTRALIA PTY LIMITED A.C.N. 077 681
442
OF PART OF THE GROUND FLOOR (LEASE 1009)
TERM: 12/10/2006 TO 31/01/2012 OPTION NIL
19. LEASE No 710341348 15/02/2007 at 12:26
COTTON ON KIDS PTY LTD A.C.N. 114 221 886
OF PART OF THE GROUND FLOOR (LEASE 1010)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
20. LEASE No 710394533 07/03/2007 at 09:52
BLUEFISH BAR AND GRILL NOOSA PTY LTD A.C.N. 111 421 099
TRUSTEE
UNDER INSTRUMENT 710394533
OF PART OF THE GROUND FLOOR (LEASE 1038)
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL
21. LEASE No 710394559 07/03/2007 at 09:59
BLUEFISH BAR AND GRILL NOOSA PTY LTD A.C.N. 111 421 099
TRUSTEE
UNDER INSTRUMENT 710394559
OF PART OF THE GROUND FLOOR (LEASE 1001)
TERM: 18/11/2006 TO 17/11/2016 OPTION NIL
22. LEASE No 710397642 07/03/2007 at 16:24
SUPER CHEAP AUTO PTY LTD A.C.N. 085 395 124
OF PART OF THE GROUND FLOOR [LEASE EB06-07]
TERM: 16.12.2006 TO 15.12.2016 OPTION FIVE YEARS
23. LEASE No 710400461 08/03/2007 at 13:06
LOWES-MANHATTAN PTY LTD A.C.N. 000 307 666
OF PART OF THE GROUND FLOOR [LEASE 1011]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

24. LEASE No 710400463 08/03/2007 at 13:07
THE COFFEE CLUB (PROPERTIES) PTY LTD A.C.N. 066 111 742
OF PART OF THE GROUND FLOOR [LEASE 1049]
TERM: 12.10.2006 TO 11.10.2013 OPTION NIL
25. LEASE No 710400465 08/03/2007 at 13:08
TALLABROOK ENTERPRISES PTY LTD A.C.N. 100 880 359
TRUSTEE 1/2
UNDER INSTRUMENT NO.710400465
ALKALMAR PTY LTD A.C.N. 119 131 314 TRUSTEE 1/2
UNDER INSTRUMENT NO.710400465
OF PART OF THE GROUND FLOOR [LEASE 1069A]
TERM: 12.10.2006 TO 11.10.2016 OPTION NIL
26. LEASE No 710431000 19/03/2007 at 16:22
MICHAEL HILL JEWELLER (AUSTRALIA) PTY LTD A.C.N. 003 181 333
PART OF THE GROUND FLOOR LEASE 1059
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
27. LEASE No 710431001 19/03/2007 at 16:23
STEFAN HAIR FASHIONS PTY LTD A.C.N. 009 779 300
PART OF THE GROUND FLOOR LEASE 1065
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
28. LEASE No 710431004 19/03/2007 at 16:24
NONI B LIMITED A.C.N. 003 321 579
PART OF THE GROUND FLOOR LEASE 1013
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
29. LEASE No 710431009 19/03/2007 at 16:25
THE JEWELLERY CHAIN PROPRIETARY LIMITED A.C.N. 005 984 798
PART OF THE GROUND FLOOR LEASE 1014
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
30. LEASE No 710502880 16/04/2007 at 14:57
PAYLESS SHOES PTY LTD A.C.N. 002 717 419
OF PART OF THE GROUND FLOOR OF A BUILDING (LEASE 1048)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
31. LEASE No 710509436 18/04/2007 at 11:11
EXECUTIVE INVESTMENTS AUSTRALIA PTY LTD A.C.N. 078 496 358
TRUSTEE
UNDER INSTRUMENT 710509436
OF PART OF THE GROUND FLOOR (LEASE 1034A)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

32. LEASE No 710509461 18/04/2007 at 11:13
RED ZOO PTY LTD A.C.N. 100 724 392 TRUSTEE
UNDER INSTRUMENT 710509461
OF PART OF THE GROUND FLOOR (LEASE 1055)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
33. LEASE No 710509474 18/04/2007 at 11:14
BUZZ HOLDINGS PTY LTD A.C.N. 099 411 060
OF PART OF THE GROUND FLOOR (LEASE 1067)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
34. LEASE No 710509483 18/04/2007 at 11:15
HEALTH MINDERS PTY LIMITED A.C.N. 002 202 913
OF PART OF THE GROUND FLOOR (LEASE 1068)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
35. LEASE No 710509491 18/04/2007 at 11:16
PENNI PTY LTD A.C.N. 107 630 419
OF PART OF THE GROUND FLOOR (LEASE 1042)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
36. LEASE No 710509500 18/04/2007 at 11:16
BUTTERFLY SILVER LEASING PTY LTD A.C.N. 114 378 531
OF PART OF THE GROUND FLOOR (LEASE 1043B)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
37. LEASE No 710509509 18/04/2007 at 11:17
JEANSWEST CORPORATION PTY LTD A.C.N. 007 305 839
OF PART OF THE GROUND FLOOR (LEASE 1050)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
38. LEASE No 710509517 18/04/2007 at 11:18
COLORADO GROUP LTD A.C.N. 004 327 566
OF PART OF THE GROUND FLOOR (LEASE 1056)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
39. LEASE No 710509530 18/04/2007 at 11:19
BLUE & WHITE PTY LTD A.C.N. 079 627 393
OF PART OF THE GROUND FLOOR (LEASE 1060)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
40. LEASE No 710509542 18/04/2007 at 11:20
MCMAHON PROPERTIES PTY LTD A.C.N. 074 365 389 TRUSTEE
UNDER INSTRUMENT 710509542
OF PART OF THE GROUND FLOOR (LEASE CB-2/03)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

41. LEASE No 710511808 18/04/2007 at 14:52
sch4p4(6) Personal information TENANT IN COMMON 1/2
sch4p4(6) Personal information TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1023)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
42. LEASE No 710511812 18/04/2007 at 14:53
KKWI PTY LTD A.C.N. 114 907 925
OF PART OF THE GROUND FLOOR (LEASE 1033)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
43. LEASE No 710511815 18/04/2007 at 14:53
DACKBROOK PTY LTD A.C.N. 010 273 800 TENANT IN COMMON 1/2
WEST END PTY LTD A.C.N. 072 706 195 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1046)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
44. LEASE No 710511817 18/04/2007 at 14:53
SUPRE PTY LTD A.C.N. 002 927 773
OF PART OF THE GROUND FLOOR (LEASE 1051)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
45. LEASE No 710511822 18/04/2007 at 14:54
GREEN & KOVACS PTY LTD A.C.N. 072 763 743
OF PART OF THE GROUND FLOOR (LEASE 1071)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
46. LEASE No 710511826 18/04/2007 at 14:54
DADDOW'S NOOSA MOTORS PTY LTD A.C.N. 009 873 572
OF PART OF THE GROUND FLOOR (LEASE 1073/74)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
47. LEASE No 710511828 18/04/2007 at 14:54
sch4p4(6) Personal information
sch4p4(6) Personal information
OF PART OF THE GROUND FLOOR (LEASE K1002A)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
48. LEASE No 710631401 30/05/2007 at 11:08
SUBWAY REALTY PTY LTD A.C.N. 009 277 374
OF PART OF THE GROUND FLOOR (LEASE 1036)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
49. LEASE No 710631413 30/05/2007 at 11:09
RIVERS (AUSTRALIA) PTY LTD A.C.N. 004 151 393
OF PART OF THE GROUND FLOOR (LEASE EA02-04)
TERM: 09/12/2006 TO 08/12/2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

50. LEASE No 710631422 30/05/2007 at 11:10
WIDE BAY AUSTRALIA LTD A.C.N. 087 652 060
OF PART OF THE GROUND FLOOR (LEASE 1064)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
51. LEASE No 710631434 30/05/2007 at 11:11
NATIONAL AUSTRALIA BANK LIMITED A.C.N. 004 044 937
OF PART OF THE FIRST FLOOR OF A BUILDING (LEASE 06/7/8)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
52. LEASE No 710631442 30/05/2007 at 11:11
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
OF PART OF THE GROUND FLOOR (LEASE 1052)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
53. LEASE No 710631453 30/05/2007 at 11:12
EXCALIBUR TRADING PTY LTD A.C.N. 086 859 136
OF PART OF THE GROUND FLOOR (LEASE K1004)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
54. LEASE No 710631460 30/05/2007 at 11:13
sch4p4(6) Personal information
OF PART OF THE GROUND FLOOR (LEASE 1034B)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
55. LEASE No 710631471 30/05/2007 at 11:14
HARRISONS NORTH PTY LIMITED A.C.N. 113 840 841
OF PART OF THE GROUND FLOOR (LEASE MM1)
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL
56. MORTGAGE No 711105383 19/10/2007 at 12:00
BANK OF WESTERN AUSTRALIA LTD A.B.N. 22 050 494 454
over
LEASE: 710631471
57. LEASE No 710631485 30/05/2007 at 11:14
RUGS QLD PTY LTD A.C.N. 109 826 468
OF PART OF THE GROUND FLOOR (LEASE ED2)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
58. LEASE No 710631501 30/05/2007 at 11:15
sch4p4(6) Personal information TENANT IN COMMON 1/2
sch4p4(6) Personal information IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1032)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

59. LEASE No 710631516 30/05/2007 at 11:16
ELECTRICAL HOME-AIDS PTY LIMITED A.C.N. 007 539 577
OF PART OF THE GROUND FLOOR (LEASE ED04)
TERM: 14/12/2006 TO 13/12/2013 OPTION NIL
60. LEASE No 710631527 30/05/2007 at 11:17
MILLER'S RETAIL LIMITED A.C.N. 057 569 169
OF PART OF THE GROUND FLOOR (LEASE 1045)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
61. LEASE No 710631534 30/05/2007 at 11:17
AXAMER PTY LTD A.C.N. 095 861 322 TRUSTEE
UNDER INSTRUMENT 710631534
OF PART OF THE GROUND FLOOR (LEASE BA04)
TERM: 02/04/2007 TO 01/04/2013 OPTION NIL
62. LEASE No 710631540 30/05/2007 at 11:18
LE GREG INVESTMENTS PTY LTD A.C.N. 088 978 634
OF PART OF THE GROUND FLOOR (LEASE 1072)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
63. LEASE No 710631545 30/05/2007 at 11:19
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
OF PART OF THE GROUND FLOOR (LEASE 1035B)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
64. LEASE No 710631556 30/05/2007 at 11:19
FONE ZONE LIMITED A.C.N. 061 796 414
OF PART OF THE GROUND FLOOR (LEASE 1058B)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
65. LEASE No 710631566 30/05/2007 at 11:20
HERITAGE BUILDING SOCIETY LIMITED A.C.N. 087 652 024
OF PART OF THE GROUND FLOOR (LEASE 1030)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
66. LEASE No 710631575 30/05/2007 at 11:21
FLIGHT CENTRE LIMITED A.C.N. 003 377 188
OF PART OF THE GROUND FLOOR (LEASE 1061)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
67. LEASE No 710634455 30/05/2007 at 16:02
DICK SMITH ELECTRONICS PTY LTD A.C.N. 000 908 716
OF PART OF THE GROUND FLOOR (LEASE EC01)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

68. LEASE No 710634473 30/05/2007 at 16:03
LEALDIR PTY LTD A.C.N. 104 246 433
OF PART OF THE GROUND FLOOR (LEASE MM2)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
69. LEASE No 710634487 30/05/2007 at 16:04
KING OF KNIVES PTY LIMITED A.C.N. 003 232 531
OF PART OF THE GROUND FLOOR (LEASE 1066)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
70. LEASE No 710634496 30/05/2007 at 16:05
STINGRAY PTY LTD A.C.N. 009 844 820 TENANT IN COMMON 1/2
FELLMERE PTY LTD A.C.N. 074 076 574 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE EC05)
TERM: 12/10/2006 TO 11/10/2009 OPTION 3 YEARS
71. LEASE No 710634509 30/05/2007 at 16:06
SHINE NAIL PTY LTD A.C.N. 115 118 495
OF PART OF THE GROUND FLOOR (LEASE 1031)
TERM: 12/10/2006 TO 11/10/2011 OPTION 3 YEARS
72. LEASE No 710634514 30/05/2007 at 16:07
THE ATHLETE'S FOOT AUSTRALIA PTY LIMITED A.C.N. 001 777 582
OF PART OF THE GROUND FLOOR (LEASE 1054)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
73. LEASE No 710634527 30/05/2007 at 16:09
NOOSA ALLIED HEALTH SERVICES PTY LTD A.C.N. 092 569 036
OF PART OF THE GROUND FLOOR (LEASE CB04)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
74. LEASE No 710634550 30/05/2007 at 16:11
BRANDS UNITED PTY LTD A.C.N. 064 814 240
OF PART OF THE GROUND FLOOR (LEASE 1015)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
75. LEASE No 710634558 30/05/2007 at 16:12
BRIGHT EYES LEASING PTY LTD A.C.N. 096 607 840
OF PART OF THE GROUND FLOOR (LEASE 1058A)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
76. LEASE No 710634562 30/05/2007 at 16:13
WALLACE BISHOP PTY LTD A.C.N. 009 665 212
OF PART OF THE GROUND FLOOR (LEASE 1016)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

77. LEASE No 710634579 30/05/2007 at 16:17
WHITE CLOUD TRADING PTY LTD A.C.N. 003 667 178
OF PART OF THE GROUND FLOOR (LEASE 1021)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
78. LEASE No 710639634 31/05/2007 at 16:29
STARBUCKS COFFEE COMPANY (AUSTRALIA) PTY LTD A.C.N. 089 313
057
OF PART OF THE GROUND FLOOR (LEASE 1040)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
79. LEASE No 710645640 04/06/2007 at 11:37
OPSM PTY LTD A.C.N. 000 025 758
OF PART OF THE GROUND FLOOR (LEASE 1041)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
80. LEASE No 710645655 04/06/2007 at 11:39
ANGUS & COOTE PTY LTD A.C.N. 000 009 772
OF PART OF THE GROUND FLOOR (LEASE 1020)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
81. LEASE No 710645667 04/06/2007 at 11:40
SPECS DIRECT PTY LTD A.C.N. 089 118 392
OF PART OF THE GROUND FLOOR (LEASE 1070)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
82. LEASE No 710645680 04/06/2007 at 11:42
sch4p4(6) Personal information JOINT TENANTS
OF PART OF THE GROUND FLOOR (LEASE BA03)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
83. TRANSFER No 711058189 04/10/2007 at 10:04
LEASE: 710645680
I & C ON THE BEACH PTY LTD A.C.N. 116 903 694
84. LEASE No 710691395 14/06/2007 at 16:22
IRONBARK QLD PTY LTD A.C.N. 089 767 493
OF PART OF THE GROUND FLOOR (LEASE 1026)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
85. LEASE No 710700443 15/06/2007 at 15:51
WCNCN PTY LTD A.C.N. 122 082 455 TRUSTEE 1/2
UNDER INSTRUMENT 710700443
WCNCN PTY LTD A.C.N. 122 082 455 TRUSTEE 1/2
UNDER INSTRUMENT 710700443
OF PART OF THE GROUND FLOOR (LEASE CA03)
TERM: 01/01/2007 TO 31/12/2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

86. LEASE No 710728983 21/06/2007 at 13:05
ANSTON PTY LTD A.C.N. 054 261 200 TENANT IN COMMON 1/3
AQUALUMIERE PTY LTD A.C.N. 009 564 913 TENANT IN COMMON 1/3
AJAY AMIN TRUSTEE 1/3
UNDER INSTRUMENT NO.710728983
OF PART OF THE GROUND FLOOR [LEASE T1069B]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
87. LEASE No 710729023 21/06/2007 at 13:08
COMPLETE FRAMING AUSTRALIA PTY LTD A.C.N. 098 699 435
OF PART OF THE GROUND FLOOR [TENANCY EA-01]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
88. LEASE No 710729048 21/06/2007 at 13:09
sch4p4(6) Personal information JOINT TENANTS
OF PART OF THE GROUND FLOOR [TENANCY 1047]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
89. LEASE No 710729062 21/06/2007 at 13:10
D C K AUSTRALIA PTY LTD A.C.N. 101 872 888
OF PART OF THE GROUND FLOOR [TENANCY 1057]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
90. LEASE No 710729081 21/06/2007 at 13:11
KATHRINE DEMISCH TRUSTEE
UNDER INSTRUMENT NO.710729081
OF PART OF THE GROUND FLOOR [LEASE 1044]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
91. LEASE No 710777946 03/07/2007 at 13:29
THE COMMONWEALTH OF AUSTRALIA REPRESENTED BY THE CHIEF
OFFICER OF CENTRELINK
OF PART OF THE GROUND FLOOR (LEASE BA01)
TERM: 12/10/2006 TO 11/10/2013 OPTION 4 YEARS
92. LEASE No 710791660 06/07/2007 at 16:02
SUNSTATE FOODS PTY LIMITED A.C.N. 010 621 477 TRUSTEE
UNDER INSTRUMENT NO.710791660
OF PART OF THE GROUND FLOOR [LEASE 1024]
TERM: 22.11.2006 TO 21.11.2011 OPTION 3 YEARS
93. LEASE No 710830640 20/07/2007 at 13:11
SKILL CENTRED QUEENSLAND INC.
OF PART OF THE GROUND FLOOR [LEASE BA2]
TERM: 12.10.2006 TO 11.10.2012 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

94. LEASE No 710830691 20/07/2007 at 13:14
VANCRIS PTY LTD A.B.N. 19 078 351 103 TENANT IN COMMON 1/2
SURFEROSA PTY LTD A.B.N. 13 117 145 258 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR [LEASE ED-01]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
95. LEASE No 710832631 20/07/2007 at 16:18
AMI RADIO PTY LIMITED A.C.N. 075 044 861
OF PART OF THE FIRST FLOOR [LEASE CB09/10]
TERM: 12.10.2006 TO 11.10.2016 OPTION NIL
96. LEASE No 710832666 20/07/2007 at 16:22
ALLY FASHION PTY LTD A.C.N. 097 575 294
OF PART OF THE GROUND FLOOR (LEASE 1053)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
97. LEASE No 710848647 26/07/2007 at 16:06
JUSTKIN PTY LTD A.C.N. 098 452 754
PART OF THE GROUND FLOOR TENANCY 1063
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
98. LEASE No 710855013 30/07/2007 at 12:43
BOARDROOMS AUSTRALIA PTY LTD A.C.N. 118 098 909
PART OF THE FIRST FLOOR LEASE CA 8/9/10
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL
99. LEASE No 710871428 03/08/2007 at 12:50
NATIONAL AUSTRALIA BANK LIMITED A.C.N. 004 044 937
OF PART OF THE GROUND FLOOR (LEASE BB11-12) AND PART OF THE
MEZZANINE FLOOR (LEASE BB11-12M)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
100. LEASE No 710912142 17/08/2007 at 15:36
SUNCORP-METWAY LIMITED A.C.N. 010 831 722
OF PART OF THE GROUND FLOOR (ATM 1)
TERM: 12/10/2006 TO 11/10/2009 OPTION NIL
101. LEASE No 710928341 23/08/2007 at 11:49
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124
OF PART OF THE GROUND FLOOR (ATM 5 AND ATM 6)
TERM: 22/05/2007 TO 21/05/2010 OPTION NIL
102. LEASE No 710970315 05/09/2007 at 15:57
MATES RATES ONLINE.COM PTY LTD A.C.N. 109 945 986
OF PART OF THE GROUND FLOOR (LEASE CB01)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL

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CURRENT TITLE SEARCH

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Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

103. LEASE No 711003024 17/09/2007 at 11:53
INGLAS PTY LTD A.C.N. 106 495 265
PART OF THE GROUND FLOOR LEASE 1043A
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
104. LEASE No 711005444 18/09/2007 at 08:49
BLOCK ENTERPRISES PTY LTD A.C.N. 124 380 669 TRUSTEE
UNDER INSTRUMENT 711005444
OF PART OF THE FIRST FLOOR (LEASE CA06-07)
TERM: 16/05/2007 TO 15/05/2014 OPTION NIL
105. LEASE No 711027785 25/09/2007 at 11:33
BANK OF QUEENSLAND LIMITED A.C.N. 009 656 740
PART OF THE GROUND FLOOR ATM 4
TERM: 12/10/2006 TO 11/10/2009 OPTION NIL
106. LEASE No 711027796 25/09/2007 at 11:34
SUNCORP-METWAY LIMITED A.C.N. 010 831 722
PART OF THE GROUND FLOOR LEASE BB05/06 AND PART OF THE
MEZZANINE FLOOR LEASE BB05/06MEZ
TERM: 27/06/2007 TO 26/06/2013 OPTION NIL
107. LEASE No 711027811 25/09/2007 at 11:35
WESTPAC BANKING CORPORATION A.C.N. 007 457 141
PART OF THE GROUND FLOOR ATM 3
TERM: 07/12/2006 TO 06/12/2009 OPTION NIL
108. LEASE No 711073777 09/10/2007 at 16:14
JAMAICA BLUE PTY LIMITED A.C.N. 059 236 387
OF PART OF THE GROUND FLOOR (LEASE K1002)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
109. LEASE No 711073779 09/10/2007 at 16:15
MUFFIN BREAK PTY LTD A.C.N. 007 192 529
OF PART OF THE GROUND FLOOR (LEASE K1006)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
110. LEASE No 711107673 19/10/2007 at 16:08
BCF AUSTRALIA PTY LTD A.C.N. 110 667 411
OF PART OF THE GROUND FLOOR (LEASE EB 01-05)
TERM: 16/12/2006 TO 15/12/2016 OPTION 5 YEARS
111. LEASE No 711135623 30/10/2007 at 15:51
GO SUSHI (CORPORATE) PTY LTD A.C.N. 106 006 919
OF PART OF THE GROUND FLOOR (LEASE K1007)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

112. LEASE No 711135633 30/10/2007 at 15:52
DONUT MANAGEMENT PTY LTD A.C.N. 069 960 701
OF PART OF THE GROUND FLOOR (LEASE K1001)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
113. LEASE No 711136219 31/10/2007 at 09:07
WOOLWORTHS LIMITED A.B.N. 88 000 014 675
OF PART OF THE GROUND FLOOR (LEASE M1001) AND PART OF THE
MEZZANINE (LEASE M1001A)
TERM: 12/10/2006 TO 11/10/2026 OPTION 10 YEARS
114. LEASE No 711145793 02/11/2007 at 11:47
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF PUBLIC WORKS)
OF PART OF THE GROUND FLOOR (LEASE CB-05)
TERM: 01/07/2007 TO 30/06/2011 OPTION 2 YEARS
115. LEASE No 711148206 02/11/2007 at 16:21
OGERP PTY LTD A.C.N. 009 539 726
PART OF THE GROUND FLOOR (LEASE 1003)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
116. LEASE No 711148213 02/11/2007 at 16:23
COOINDA QLD PTY LTD A.C.N. 108 212 200
PART OF THE GROUND FLOOR (LEASE EC-03)
TERM: 02/07/2007 TO 01/07/2012 OPTION NIL
117. LEASE No 711160144 07/11/2007 at 15:56
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522
OF PART OF THE GROUND FLOOR (LEASE BB09/10)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
118. LEASE No 711166119 09/11/2007 at 11:47
MOUNTFORD PROPERTIES PTY LTD A.C.N. 074 365 370 TRUSTEE
UNDER INSTRUMENT 711166119
OF PART OF THE GROUND FLOOR (LEASE CA 04/05)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS

Dealing	Type		Lodgement Date	Status
710981233	LEASE		10/09/2007 11:28	UNVERIFIED
710981275	SURVEY PLAN	SP/182832	10/09/2007 11:31	UNVERIFIED
711148210	LEASE		02/11/2007 16:22	UNVERIFIED
711160149	LEASE		07/11/2007 15:57	UNVERIFIED
711177846	SURRENDER		14/11/2007 10:49	UNVERIFIED
711181162	LEASE		14/11/2007 16:09	UNVERIFIED

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CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

CERTIFICATE OF TITLE ISSUED - No

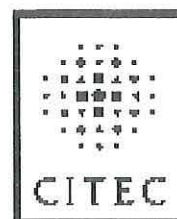
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: CITEC CONFIRM

Published on DES Disclosure Log
RTI Act 2009

Page 15/15



Search Receipt

Date/Time (AEST)	15-Nov-2007 09:53:43 AM
Account	2001-2674
User Name	
Your Reference	TR:070095/0
CONFIRM Reference	17176311
Transaction	QLD Land Title Search
Value	\$14.86
GST	\$1.49
Price	\$16.35

Published on DES Disclosure Log
RTI Act 2009

Appendix B - Easement Documentation

Published on DES Disclosure Log
RTI Act 2009

6983354

NO.



602533547

MEMORANDUM OF ENCUMBRANCES, LIENS AND INTERESTS

6983354

EAS IN GROSS

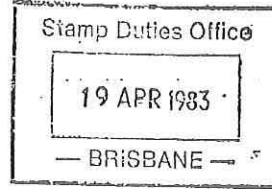
OF EASEMENT

BRIAN GERALD KENNEDY,
CARMEL MARY KENNEDY and
B.G. HARTWIG & CO. PTY. LIMITED

the Grantor

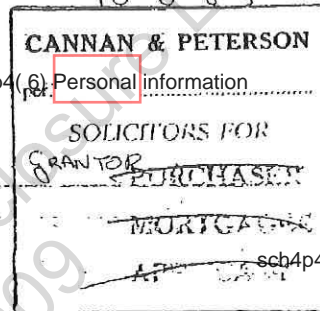
THE SOUTH EAST QUEENSLAND
ELECTRICITY BOARD

the Grantee



Received
herein Good intentions

10.6.83



sch4p4(6) Personal information

sch4p4(6) Personal information Particulars entered in the Register Book

sch4p4(6) Personal information Volume.....Folio.....58

the ... day of ...
19 at

10 JUN 1983 sch4p4(6) Personal information

at 9.00 am

Registrar of Titles

37317

sch4p4(6) Personal information

RECEIVED
REG. OF TITLES
MAY 12 11 08 AM '83

THYNNE & MACARTNEY,
SOLICITORS,
BRISBANE.

decal
Cannan & Peterson

sch4p4(6) Personal information

caravans, demountable or demountables, which may be parked or located on the said land under the electric lines.

- (c) The removal or stockpiling of any soil, sand, gravel, other substance or material on the said land or the construction of any roads, dam walls or other earthworks on the said land which would in any way reduce below the statutory requirement the height of conductors above ground level.
- (d) The removal or stockpiling of any soil, gravel or other substance within a distance of five (5) metres from the base of any pole, ground stay or structure on or in the said land.
- (e) The inundation of the said land where any poles, ground-stays or structures are erected or located.
- (f) The inundation of the said land which would in any way reduce the height of the conductors below the statutory requirement.
- (g) The growing of sugarcane on the said land without the prior approval in writing of the Grantee.

IN WITNESS WHEREOF the said Brian Gerald Kennedy and Carmel Mary Kennedy have hereunto subscribed their names and the Common Seal of B.G. Hartwig & Co. Pty. Limited was hereunto affixed sch4p4 (6) Personal information day of *March*, 198~~7~~³.

SIGNED on the day abovenamed by the said)
BRIAN GERALD KENNEDY in the presence of:)

sch4p4 (6) Personal information

A Justice of the Peace

SIGNED on the day abovenamed by the said)
CARMEL MARY KENNEDY in the presence of:)

sch4p4 (6) Personal information

A Justice of the Peace

THE COMMON SEAL of B.G. HARTWIG & CO. PTY. LIMITED was hereunto affixed by the authority of the Board in the presence of a Director and the Secretary being the proper officers to affix the Seal in the presence of:



sch4p4 (6) Personal information

A Justice of the Peace

Correct for the purpose of registration

sch4p4 (6) Personal information

Solicitors for the Grantee

Address:

67/16 p 25

Collect C/T Volume 5103 Folio 58

sch4p4(6) Personal information

\$63.00

sch4p4(6) Personal information

6.6.83

QUEENSLAND 1143235
STAMP DUTIES OFFICE
2430332 31 \$63.00

MEMORANDUM OF TRANSFER OF EASEMENT

WE, [redacted] sch4p4(6) Personal information and B.G. HARTWIG & CO. PTY. LIMITED

(hereinafter called "the Grantor" which expression shall where the context permits be deemed to include the said Brian Gerald Kennedy, Carmel Mary Kennedy and B.G. Hartwig & Co. Pty. Limited their respective executors, administrators, successors ~~executors, administrators~~

sch4p4(6) Personal information

and assigns and other the owner, owners, occupier or occupiers, registered proprietor or registered proprietors for the time being of the land hereinafter referred to) being the Registered Proprietor of an estate in fee simple as tenants in common in the interests of one-quarter, one-quarter and one-half respectively SUBJECT HOWEVER to such encumbrances, liens and interests as are notified by Memorandum endorsed hereon in all that piece of land situated in the County of March Parish of Tewantin containing an area of 2.568 hectares more or less described as Easement C in Portion 29, and containing an area of 6699 square metres more or less described as Easement D in Portion 29 both as shown on Registered Plan No. 177294 being part of the land contained in Certificate of Title volume 5103 Folio 58

SERV

(which land is hereinafter called "the said land") IN CONSIDERATION of the sum of Four thousand one hundred and fifty dollars

(\$ 4,150.00) paid to us by THE SOUTH EAST QUEENSLAND ELECTRICITY BOARD (hereinafter with its successors and assigns called "the Grantee")

the receipt of which sum we hereby acknowledge DO HEREBY GRANT AND TRANSFER to the Grantee an easement in perpetuity with full and free liberty and right at all times hereafter to convey, distribute and transform electricity over, across and on the said land by means of electric lines in accordance with the "Electricity Act 1976" which states "electric line" means any wire or wires, conductor or other means used for the purpose of conveying, transmitting, transforming or distributing electricity, together with any casing, coating, covering, tube, pipe, pillar, pole or tower, post, frame, bracket or insulator enclosing, surrounding or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting, transforming or distributing electricity;" (or any Act or Acts amending or in substitution for the same) with full power to the Grantee, its employees and others authorised by the Grantee to :-

1. (a) Construct and erect on, in or through the said land the electric lines hereinbefore described (as shall be required for so conveying, distributing and transforming electricity).
- (b) Inspect, maintain, repair and replace such electric lines.
- (c) Remove and carry away at any time the whole or any part or parts of such electric lines.
2. Construct and erect additional or further electric lines and/or

reconstruct the existing electric lines and for such purpose to erect on, in, or through the said land such further or new electric lines as the Grantee shall require or consider necessary and in the event of the erection of further electric lines or the reconstruction of the existing electric line the Grantor reserves the right to make a claim for further compensation by reason of or arising out of the erection of such further electric lines or the reconstruction of the existing electric line as aforesaid provided that such claim for compensation shall be lodged with the Grantee within three (3) calendar months from the date the erection of such electric lines or reconstruction of the existing electric line shall have been completed.

3. Clear and keep clear the said land by any means or method and to cut and remove timber, trees and undergrowth from the said land and to burn off on the said land such timber, trees and undergrowth.
4. Construct and maintain such access tracks, gates and appurtenant works as the Grantee shall consider necessary on the said land, and, subject to the prior consent of the Grantor, construct and maintain access tracks, gates and appurtenant works off the said land which the Grantee shall consider necessary.
5. Permit and allow structures or buildings now located on the said land to remain at the pleasure of the Grantor but to prevent the Grantor making or causing to be made any alterations or additions to such structures or buildings affecting their overall dimensions without the prior approval in writing of the Grantee.
6. Permit and allow the replacement of existing structures and buildings on the said land with the prior approval in writing of the Grantee.
7. Permit and allow the erection of any additional structures and buildings on the said land with the prior approval in writing of the Grantee and subject to statutory electrical clearances being maintained.
8. Permit the use of the said land for any purpose not inconsistent with the rights previously mentioned hereby granted to the Grantee and not likely to cause interference with or endanger the Grantee's electric lines, access tracks and appurtenant works.
9. Enter upon and remain, pass and repass on and over the said land for all or any of the purposes aforesaid and with or without vehicles, plant and equipment of any description.
10. The right of ingress and egress to and from the said land, over the land of the Grantor adjoining or adjacent to the said land to permit access to the nearest surveyed road or to such other point on the land of the Grantor as the Grantee shall consider convenient or necessary to obtain access to and from the said land.
11. PREVENT:
 - (a) The erection of any buildings or structures (other than fences) on the said land without the prior approval in writing of the Grantee.
 - (b) Any person or persons from residing in or occupying any caravan or

Form 1986 BACKING SHEET

L463025D

\$81.00

23 APR 1993
11:00 AM

5500 EASEMENT

CORRESPONDENCE NUMBER
REQUISITIONS

Form 33 and 35

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

EASEMENT IN GROSS

(insert type of dealing)

ENTERED IN THE REGISTER BOOK

VOLUME 7154

FOLIO 154

AT 1.57 AM/PM

19 MAY 1993
sch4p4(6) Personal information
sch4p4(6) Personal information
sch4p4(6) Personal information

(6/5/93)



602533554

L463025D

EAS IN GROSS

sch4p4(6) Personal information

IMAGED FROM MICROFILM

BELOW THIS LINE TO BE COMPLETED BY LODGER		LODGER CODE
LODGED BY: PETER ATKINSON		6
ADDRESS: NORTON STREET		
CERTIFICATES OF TITLE DEEDS OF GRANT DECLARATIONS ETC LODGED WITH THIS DOCUMENT TO BE COMPLETED BY LODGING PARTIES		
LODGED BY: McCULLOUGH ROBERTSON		(206)
BELOW THIS LINE FOR DELIVERY NOTATIONS		
RECEIPT NOTATIONS	OFFICE USE	
ITEMS RECEIVED:		
FIRM NAME:		sch4p4(6) Personal information
PER:		19.5
AUTHORITY:		
DATE:		
ITEMS DELIVERED BY POST		
FORWARDED TO LODGER OF THIS DOCUMENT ON		

S&M Law Stationers © By Authority License No 1/83

FORM 11
 Queensland
 Real Property Act 1861-1986
 Real Property Regulations 1986

EASEMENT IN CROSS

GRANTOR (1) sch4p4(6) Personal information

ESTATE OR INTEREST BEING BURDENED (2) FEE SIMPLE

HOW ESTATE OR INTEREST BEING BURDENED IS HELD (3) JOINT TENANTS

QLD STAMP DUTY - BNE
 R/N 1100025594
 ST1100037713 19/04/93 14:30:37
 \$4.50 CONV

GRANTEE (4) COUNCIL OF THE SHIRE OF NOOSA

DESCRIPTION OF SERVIENT TENEMENT	VOLUME	FOLIO	COUNTY	PARISH	DESCRIPTION
	*PART OF 7154	154	MARCH	TEWANTIN	EASEMENT W IN LOT 4 ON RP 215933 ON RP 844425

MORTGAGES, ENCUMBRANCES, ETC. (6) EASEMENT NO. G983354
 AGREEMENT NO. J458976F
 MORTGAGE NOS. J644249C, K205588R, K221554G, L 369 760T

CONSIDERATION (7) The sum of \$250.00 the receipt of which is hereby acknowledge.

SHORT GENERAL DESCRIPTION OF PURPOSE OF EASEMENT (8) WATER SUPPLY EASEMENT

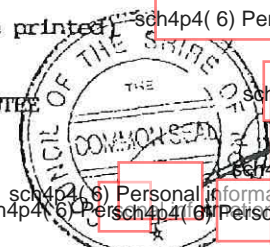
(9) THE GRANTOR FOR THE ABOVE CONSIDERATION HEREBY GRANTS TO THE GRANTEE THE EASEMENT HEREIN DESCRIBED AND THE GRANTOR AND THE GRANTEE HEREBY COVENANT WITH EACH OTHER IN TERMS OF THE # SCHEDULE HERETO. AND # FILED IN THE OFFICE OF THE REGISTRAR OF TITLES.

(10) SIGNED THIS 15th DAY OF October 19 92

EXECUTION (11) BY GRANTOR (signature) sch4p4(6) Personal information
 sch4p4(6) Personal information

WITNESS (12) IN MY PRESENCE (signature) sch4p4(6) Personal information
 A Justice of the Peace/Solicitor
 (Full name to be printed) sch4p4(6) Personal information sch4p4(6) Personal information

GRANTEE MUST ACCEPT PERSONALLY (13) ACCEPTED BY GRANTEE
 sch4p4(6) Personal information OJ. MACKLIN
 sch4p4(6) Personal information NE Playford
 sch4p4(6) Personal information A/Shire Chairman
 sch4p4(6) Personal information VB Davidson
 sch4p4(6) Personal information Shire Clerk



(13)

sch4p4(6) Personal information

sch4p4(6) Personal information

CERTIFIED CORRECT FOR THE PURPOSE OF REGISTRATION BY--

GRANTEE (signature)

OR

his/her SOLICITOR (signature)

sch4p4(6) Personal information

(Full name to be printed)

sch4p4(6) Personal information

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RTI Act 2009

FORM 33
Queensland
Real Property Act 1861-1985
Real Property Regulations 1986

SCHEDULE

This is the Schedule in Easement in Gross dated the 15th day of October 1992 comprising 1 page/s.

The Grantors do hereby grant transfer and confirm unto the Grantee the following easement namely the full and free right and liberty to the Grantee its agents, servants, workmen and others authorised on its behalf at all times hereafter to lay water mains upon, under and through the surface of the servient tenement and to use the same in common with any other person lawfully entitled thereto and freely to run and to pass water through under and along the same and from time to time and at all times to enter upon the servient tenement to inspect cleanse repair and maintain the said water mains and when and where necessary to lay new water mains in substitution therefor.

AND the Grantor hereby covenants with the Grantee that the Grantee its agents, servants, workmen and others authorised on its behalf for the purpose of the full enjoyment of the aforesaid rights shall have full free and uninterrupted right and liberty at all times hereafter by day or night and with or without vehicles machinery or tools of any description to enter upon and to go pass and repass over and along the said servient tenement and shall have the right to enter upon and under the servient tenement and to open and break up the soil of the servient tenement or any part thereof as well as the sub-surface as the surface thereof and to bring and place in and upon the servient tenement and remove such materials machinery tools and other articles and to do such other things in the premises as the said Grantee shall in its discretion think fit.

AND the Grantor shall not nor will at any time build upon the servient tenement or any part thereof or use the said land in such a way as to obstruct or interfere with the said water mains and water reticulation system and the proper and effective use thereof by the Grantee.

AND the Grantee hereby covenants with the Grantor that the Grantee will at all times hereafter exercise the rights and privileges hereby granted in a proper and workmanlike manner and so as to cause as little inconvenience as possible and do as little damage as practicable to the servient tenement.

Form 35
Queensland
Real Property Act 1861-1988
Real Property Regulations 1986

GENERAL CONSENT

Item

(1) Type of Instrument: Easement in Gross

Dealing number:)
OR) sch4p4(6) Personal information

Names of parties:)
and
COUNCIL OF THE SHIRE OF NOOSA

Date of Instrument: 15.10.92

(2) Title Reference: Part of Vol: 7154 Fol: 154

(3) I, METWAY BANK LIMITED A.C.N. 010 831 722

being the: mortgagee

under Bill of Mortgages Numbers J644249C, K205588R, K221554G
and L 369 760 Y hereby consent to the registration of the
instrument specified in Item (1) above.

(4) Signed this 1ST day of FEBRUARY 1993
METWAY BANK LIMITED BY ITS DULY CONSTITUTED ATTORNEY (sch4p4(6) Personal information)
sch4p4(6) Personal information (sch4p4(6) Personal information) AND sch4p4(6) Personal information (LEVEL II) UNDER
POWER OF ATTORNEY NO. K865425N

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

(signature of witness) sch4p4(6) Personal information

(qualification) A JUSTICE OF THE PEACE

(full name to
be printed) MICHELE SUSAN COOPER

36825/1
mls

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 2

W/D + NE 4-1-7

Duty Imprint

710227520
\$111.30
\$111.30
04/01/2007 08:24

Queensland Duty Paid \$ 1.50
On the Amount of \$ 1.00 Duty Code TLEW
13A-DNE:16447 Transaction Number 97/06
Signed sch4p4(6) Personal information 05/10/06

BE 600

Mirose Pty Ltd ACN 010 278 118

Lodger (Name, address & phone number)	Lodger Code
sch4p4(6) Personal information GPO Box 458 Brisbane Qld 4001 Tel: (07) 3229 4408	463

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement P in Lot 2 on SP 182880	March	Tewantin	50600241
Easement S in Lot 2 on SP 182880	March	Tewantin	50600241
* Dominant Tenement (benefited land)			(new title to issue)
N/A			

3. Interest being burdened	*4. Interest being benefited
Fee Simple	N/A

* not applicable if easement in gross

5. Grantee	Given names	Surname/Company name and number	(include tenancy if more than one)
		Council of the Shire of Noosa	

6. Consideration	7. Purpose of easement
\$1.00	Sewerage

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of standard terms document number 701792601 as varied by the terms and conditions contained in the attached Schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Execution Date Grantor's Signature

3, 10, 06

Mirose Pty Ltd ACN,010 278 118

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

Director/Secretary

sch4p4(6) Personal information

Execution Date Grantor's Signature

10, 10, 06

sch4p4(6) Personal information

Witnessing Officer

signature

full name

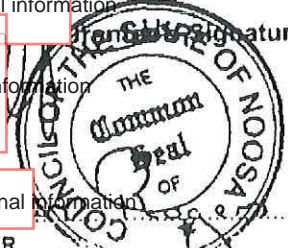
qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

sch4p4(6) Personal information

MAYOR

A/CHIEF EXECUTIVE OFFICER



Title Reference 50600241

Standard Registered Easement Document No. 701792601 is amended as follows:

A. The following clause is inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

1.1.1 At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and

1.1.2 Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

B. The words "and associated structures, access chambers, fittings and control devices" are inserted after the words "conduits and channels" at the end of the fourth line.

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RTI Act 2009

Title Reference 50600241

Standard Registered Easement Document Nos. 701792601 and 701792591 are amended as follows:

A. The following clauses are inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

1.1.1 At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and

1.1.2 Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

2. IMPROVEMENTS

2.1 The Grantee acknowledges the existence of the roof overhang at RL17.03m AHD which is located above the Servient Tenement at the date of this Easement (and which are identified as existing in the Servient Tenement on the Easement Plan 182880)."

B. The words "and associated structures, access chambers, fittings and control devices" are inserted after the words "conduits and channels" at the end of the fourth line.

Title Reference 50600241

Standard Registered Easement Document No. 701792597 is amended as follows:

A. The following clause is inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

1.1.1 At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and

1.1.2 Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

B. The Grantor covenants and agrees that the Grantee may discharge rain and stormwater from the adjoining road system onto the Servient Tenement whereupon the Grantor undertakes to operate and maintain a stormwater disposal system which is to the standards and requirements of the Grantee.

Published on DES Disclosure Log
RTI Act 2009

NO..... **H 496989**

MEMORANDUM OF ENCUMBRANCES LIENS AND

INTERESTS

TRANSFER OF EASEMENT

Stamp Duties Office
26 JUL 1983
— BRISBANE —

sch4p4(6) Personal information and

B.G. HARTWIG AND CO. PTY.
LIMITED

Grantors

COUNCIL OF THE SHIRE OF NOOSA



602533548

H49699 EAS IN GROSS

Particulars entered in the Register

Book Volume 5103 Folio 58

this day of

1983.

Plan
Noted.

19 AUG 1983 sch4p4(6) Personal information

at 8.00 am sch4p4(6) Personal information

Registrar of Titles

52399

\$ 42

Plan 123 101
(H49699)

RECEIVED
REG. OF TITLES
AUG 4 3 48 PM '83

19.8.83
CANNAN & PETERSON
sch4p4(6) Personal information
SOLICITORS FOR
MORTGAGEE
GRANTOR
APPLICANT

~~SYKES NEILSON & CO.~~

~~SOLICITORS~~

~~GYMPIE~~ sch4p4(6) Personal information

CANNAN & PETERSON
HTR

sch4p4(6) Personal information

15-0-37

QUEENSLAND

TRANSFER OF EASEMENT

sch4p4(6) Personal information

sch4p4(6) Personal information and B.G. HARTWIG AND CO. PTY. sch4p4(6) Personal information

LIMITED (hereinafter called "the Grantors") being the registered proprietors as tenants in common in shares of one-quarter, one-quarter and one-half respectively of an estate in fee simple SUBJECT HOWEVER to such encumbrances liens and interests as are notified by memorandum endorsed hereon in all that piece of land situated in the County of March Parish of Tewantin and described in the First Schedule hereunder:-

FIRST SCHEDULE

*27/07/83 R/N1603930 K BRIS STAMP DUTIES OFFICE * 3110033 31 \$1.50

Certificate of Title Volume	Folio	Description	Area
5103	58	Portion 29	96.24 hectares exclusive of 1.224 hectares for a surveyed road

IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) agreed to be paid to the Grantors by COUNCIL OF THE SHIRE OF NOOSA of Tewantin in the State of Queensland (hereinafter called "the Grantee") DO HEREBY GRANT AND TRANSFER to the Grantee its successors and assigns the full and free right and liberty at all times hereafter and from time to time to have, lay, construct and thereafter forever to use and maintain through under over and above that part of the aforesaid piece of land situated in the County of March Parish of Tewantin and described in the Second Schedule hereunder:-

SECOND SCHEDULE

Certificate of Title Volume	Folio	Description	Area
sch4p4(6) Personal information Part of C/T 5103	58	Easement A in Portion 29 on Registered Plan No. 183901	3202 square metres 3184

(which land in the Second Schedule is hereinafter referred to as "the said land") drains, pipes, sewers and pumping station for the purpose of the passage or conveyance of sewerage, sewage, foul liquids or nightsoil and for the purposes aforesaid and for the purpose of obtaining access to the said drains, pipes, sewers and pumping station and for the purposes of changing the size and number of such drains, pipes, sewers and pumping

sch4p4(6) Personal information sch4p4(6) Personal information File E sch4p4(6) Personal information

station as aforesaid, full free and uninterrupted right and liberty at all times by day and by night and from time to time to enter upon, to go, pass and repass over, along and under the said land or any part or parts thereof with or without surveyors, engineers, servants, agents, licensees, contractors, subcontractors, workmen and others authorised by the Grantee and with or without any necessary equipment for the purposes aforesaid and todig into, erect scaffolding upon and to open and break up the soil of the said land or any part or parts thereof, and to bring and place in and upon the said land or any part or parts thereof such materials, machinery, equipment, tools and articles as may be necessary or incidental to any of the purposes aforesaid;

AND THE GRANTORS HEREBY COVENANT WITH THE GRANTEE that the Grantors shall not nor will at any time build upon the said land or any part or parts thereof or use the said land in such a way as to obstruct or interfere with the said drains, pipes, sewers or sewerage pumping station and the proper and effective use thereof by the Grantee.

AND THE GRANTORS AND THE GRANTEE AGREE that this Easement shall bind their executors, administrators, successors in title and assigns.

IN WITNESS WHEREOF the said parties to these presents have hereunto set their hands and seals the day and year hereunder written.

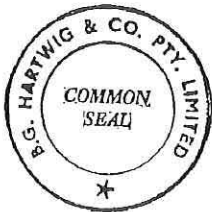
SIGNED-SEALED AND DELIVERED by)
the said sch4p4(6) Personal information)
as Grantors)
and sch4p4(6) Personal information this)
 must day of)
 March 1983 in the)
presence of:)

sch4p4(6) Personal information

sch4p4(6) Personal information

A JUSTICE OF THE PEACE

as Grantors
kd & THE COMMON SEAL of B/G. HARTWIG)
AND CO. PTY. LIMITED, was hereto)
affixed pursuant to a resolution)
of the Board of Directors this)
 must day of *March* 1983,)
in the presence of;



sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

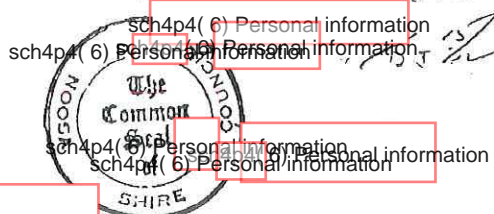
sch4p4(6) Personal information

Witness: sch4p4(6) Personal information

A JUSTICE OF THE PEACE

AS GRANTEE

THE COMMON SEAL was hereunto)
affixed by authority of a)
resolution of COUNCIL OF THE)
SHIRE OF NOOSA, by the Shire)
Chairman WEHL HUBERT WANSLEY)
and the Shire Clerk DANIEL)
JOHN PHILPOT this *ninth*)
day of *March* 1983.)



sch4p4(6) Personal information
sch4p4(6) Personal information

A JUSTICE OF THE PEACE

CORRECT FOR THE PURPOSES OF REGISTRATION

sch4p4(6) Personal information

SOLICITORS FOR THE GRANTORS

sch4p4(6) Personal information

sch4p4(6) Personal information

SOLICITORS FOR THE GRANTEE

Published on DES Disclosure Log
RTI Act 2009

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 1

win + nek - 1-?



710227524
\$111.30
\$111.30
04/01/2007 08:26

Duty Imprint

Queensland Duty Paid \$ 1.50
On the Amount of \$ 1.00
Duty Code <i>TRFH</i>
ISA/DXE:16447 Transaction Number <i>89/06</i>
Signsch4p4(6) Personal information <i>03/10/06</i>

BE 600

Mirose Pty Ltd ACN 010 278 118

Lodger (Name, address & phone number)	Lodger Code
Hogan Besley Boyd	463
GPO Box 458	
Brisbane Qld 4001	
Tel: (07) 3229 4408	

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement M in Lot 2 on SP192396 <i>on SP182880</i>	March	Tewantin	50600241
Easement N in Lot 2 on SP192396 <i>on SP182880</i>	March	Tewantin	50600241
*Dominant Tenement (benefited land)			

* not applicable if easement in gross

3. Interest being burdened Fee simple	4. Interest being benefited Not Applicable
------------------------------------------	-----------------------------------------------

5. Grantee Given names	Surname/Company name and number	(include tenancy if more than one)
	Energex Limited A.C.N. 078 849 055	

6. Consideration \$1.00	7. Purpose of easement Electricity Services
----------------------------	------------------------------------------------

8. Grant/Execution
The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of document no. 708346714.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer (6) Personal information	Execution Date	Mirose Pty Ltd ACN 010278118	Grantor's Signature
sch4p4(6) Personal information signature	<i>28/9/06</i>	sch4p4(6) Personal information	Director
sch4p4(6) Personal information full name		sch4p4(6) Personal information	Secretary
<i>Solicitor</i> qualification			

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer	Execution Date	Grantor's Signature
sch4p4(6) Personal information signature	<i>09/9/06</i>	Energex Limited ACN 078 849 055
<i>GRAVIN MATTHEW SMITH</i> full name		by its constituted Attorney Kenneth Ross Pollock
<i>C. DEC 80227</i> qualification		Network Development and Property Manager under
		Power of Attorney No. 709874834
		sch4p4(6) Personal information

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Appendix C - Covenant Documentation

Published on DES Disclosure Log
RTI Act 2009

no A of A 5-6-1-7

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

COVENANT

Form 31 Version 2
Page 1 of 5-6



710056589
710227518
\$111.30
\$111.30
04/01/2007 08:24

Lodger (Name, address & phone number)
sch4p4(6) Personal information

Lodger Code
463

BE 616

Mirose Pty Ltd ACN 010 278 118

2. Description of Covenant / Lot on Plan	County	Parish	Title Reference
Covenant I in Lot 2 on SP182845	March	Tewantin	50600241(new Title to issue)
Covenant J in Lot 2 on SP182845	March	Tewantin	50600241(new Title to issue)
Covenant K in Lot 2 on SP182845	March	Tewantin	50600241(new Title to issue)
Covenant L in Lot 2 on SP182845	March	Tewantin	50600241 (new Title to issue)

3. Covenantee
Council of the Shire of Noosa

4. Description of Covenant (include reference to relevant section of legislation)
Pursuant to sections 97A(3)(a)(i) and 97A(3)(b) of the Land Title Act 1994, the Covenant is to ~~restrict the use of part of the lots~~ described in Item 2 in the manner set out in the attached Schedule. *preserve the native vegetation on the land*

5. Execution
The Covenantor being the registered owner of the lot described in item 2 covenants with the Covenantee in respect of the covenant described in item 4 and the attached schedule.

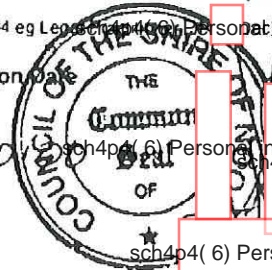
Witnessing officer must be aware of his/her obligations under section 161 of the Land Title Act 1994

Witnessing Officer sch4p4(6) Personal information Execution Date 14, 8, 06
 sch4p4(6) Personal information
 SOLICITOR

Covenantor's Signature
 Mirose Pty Ltd ACN 010 278 118 sch4p4(6) Personal information
 sch4p4(6) Personal information
 Director
 sch4p4(6) Personal information
 Director/Secretary

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner JP C Dec)

Witnessing Officer Execution Date 11/08/06
 signature
 full name
 qualification
 sch4p4(6) Personal information
 sch4p4(6) Personal information
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(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner JP C Dec)

This is the Schedule referred to in the Form 31 Covenant dated the 3rd day of October 2006.

1. Purpose

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This Covenant is entered into between the Covenantor and Covenantee pursuant to sections 94A(3)(A)(i) and 97A(3)(b) of the *Land Title Act 1994* for the purpose of the ~~conservation~~ ^{preservation} of the existing native vegetation in the lots described in Item 2 of the Form 31 Covenant.

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2. Interpretation

The Covenantor and the Covenantee agree that the intent of this Covenant is to ensure that the Native Vegetation on the Native Vegetation Area is maintained, and the Covenantor and the Covenantee agree that this Covenant is to be interpreted, performed and applied accordingly.

3. Definitions

In this Covenant: -

"Approved Plans" means any plans approved by the Covenantee at the date of this Covenant or in the future regarding the Land.

"Building" means a fixed structure that is either wholly or partly enclosed by walls and is roofed and includes any part of a building.

"Covenantee" means the Council of the Shire of Noosa and its successors.

"Covenantee's Agents" includes the Covenantee's elected members and officials together with the Covenantee's relevant agents, employees, contractors and subcontractors.

"Covenantee's Right of Access" means the rights set out in Clause 5 of this Covenant.

"Covenantor" means the registered proprietor of the Land and its successors in title, transferees and assignees.

"Covenantor's Obligations" means the obligations set out in Clause 4 of this Covenant.

"Declared and Undesirable Plants" means any vegetation declared by any legislation with jurisdiction in the State of Queensland, and any species defined as undesirable by the Noosa Council through either a Planning Scheme Policy or an adopted Pest Management Plan.

"Dividing Fences" has the same meaning as in the *Dividing Fence Act 1953*.

"Erect" includes erect, construct, make or place and also includes commencing or continuing the erection, construction, making or placing.

"Land" means the property described in Item 2 of the Covenant and any land created in lieu thereof by registration of any plan and howsoever described.

"Management Plan" means all management plans approved by the Covenantee from time to time affecting the Native Vegetation Area of the Land including but without limitation: -

- (a) Environmental Management Plan
- (b) Site Rehabilitation Plan
- (c) Stormwater Management Plan
- (d) Bushfire Management Plan

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"Native Vegetation Area" means the part of the Land depicted on the Survey Plan as being subject to the Covenant described in Item 2 of the Form 31 Covenant.

"Native Vegetation" means the native trees, bushes, plants, shrubs, flowers, grasses, algae and fungi, but does not include Declared and Undesirable Plants.

"Structure" includes any Building, wall, fence (other than a Dividing Fence), pillar, pipe, drain, conduit, post, roadway or path or other structure or erection.

"Survey Plan" means Plan SP182845.

4. Covenantor's Obligations

4.1. The Covenantor covenants and agrees with the Covenantee that the Native Vegetation Area will be protected, preserved and conserved by the Covenantor to the satisfaction of the Covenantee. Without limiting the generality of the preceding, the Covenantor agrees that: -

- (a) No living or dead vegetation now existing or hereafter existing in the Native Vegetation Area, will be trimmed, pruned, cut down, damaged, destroyed, mowed, harvested, picked or removed from the Native Vegetation Area unless approved by the Covenantee. However, in accordance with the Letter of Undertaking dated September 28, 2006 provided by Energex Limited ("Energex") to the Covenantor (a copy of which is attached as "Annexure 'A'"), the Covenantee acknowledges that Energex may be required in situations of emergency to clear part of the Native Vegetation Area which is subject to Energex's Easement for electricity services purposes without obtaining the Covenantee's prior approval subject to Energex causing as minimal disturbance as possible to the Native Vegetation Area. In any event, the Covenantor will reinstate, repair and make good any damage caused to the Native Vegetation Area (and any Native Vegetation) within a reasonable time;
- (b) No fixtures or improvements including Buildings or other Structures other than Structures approved in the Management Plan, the Master Plan (Map SBC (MP2 Plan)) or Approved Plans or previously approved by the Covenantee in writing will be erected in the Native Vegetation Area;
- (c) No trail, path, access or other way (other than those approved in the Management Plan, the Master Plan (Map SBC (MP2 Plan)) or Approved Plans or by the Covenantee) will be made laid out or erected in the Native Vegetation Area;
- (d) No fill, soil, rock, rubbish, ash, garbage, waste or other material foreign to the Native Vegetation Area will be deposited in or on the Native Vegetation Area other than mulch for the better growing of the vegetation in the Native Vegetation Area;
- (e) No other acts will be carried out in or in respect of the Native Vegetation Area which, in the opinion of the Covenantee, acting reasonably, may have a detrimental impact on the Native Vegetation Area;
- (f) The Covenantor will be responsible for the ongoing control and eradication of Declared or Undesirable Plants on the land; and
- (g) The Covenantor will adhere to the Management Plan.

4.2. Notwithstanding clause 4.1(a), if any living or dead vegetation on the Land (including the Native Vegetation Area) poses a risk to human safety: -

- (a) The vegetation may be cut down or trimmed with the prior written consent of the Covenantee, which will not be unreasonably withheld, so as to remove the risk; and
- (b) Unless it would, in the Covenantee's reasonable opinion, constitute a fire hazard, the cut vegetation or trimmings must be left on the Land so that natural regeneration processes may occur.

4.3. Notwithstanding clause 4.1, the Covenantor may undertake works in the Native Vegetation Area with the prior written consent of the Covenantee, which is not to be unreasonably withheld.

5. Covenantee's Rights of Access

The Covenantor hereby expressly authorises the Covenantee, at any reasonable time, to: -

- (a) Enter, re-enter, and traverse the Native Vegetation Area;
- (b) Enter, re-enter, and traverse that part of the Land that is reasonably required to in order to enter, re-enter, and traverse the Native Vegetation Area; and
- (c) Inspect, test and monitor the Native Vegetation Area and Native Vegetation on the Native Vegetation Area.

6. Covenantee May do Work

The Covenantee may, at any reasonable time carry out any planting, replanting, rehabilitation or remedial work in the Native Vegetation Area so as to restore any Native Vegetation harmed or damaged, for whatever reason, to a state as near as is practical to the state prior to such damage or harm.

7. Remedy for Non-Compliance

- 7.1. In the event of non-compliance by the Covenantor with the Covenantor's obligations contained in this Covenant, the Covenantee may, in its absolute discretion, issue a written direction requiring the Covenantor to remedy the non-compliance.
- 7.2. Where the Covenantee issues a written direction pursuant to clause 7.1, the Covenantor shall comply with the direction within 14 days of the issue of the direction or such other reasonable time as may be specified in the direction.
- 7.3. In the event that the Covenantor fails to comply with the written direction within the time allowed in accordance with clause 7.2, the Covenantee may enter the Covenant Area, perform the work required to ensure compliance by the Covenantor with the Covenantor's obligations and recover the costs of performing the work from the Covenantor as a debt payable on demand.

8. Release and Indemnity

The Covenantor irrevocably releases the Covenantee from and waives any right, claim, remedy, action, cause of action, loss, damage, expense or liability which the Covenantor may have against it in respect of this Covenant or its performance or breach. The Covenantor hereby indemnifies and holds the Covenantee harmless from and against any claim, right, action, remedy, cause of action, loss, damage, expense or liability incurred, suffered or asserted by it or anyone else in connection with the performance of this Covenant by the Covenantor or its breach by the Covenantor or in connection with any negligence or other legal wrong of the Covenantor.

The Covenantor agrees with the Covenantee that the Covenantor is, as between the Covenantor and the Covenantee, the sole occupier of the land.

9. No Obligations on Covenantee

The rights given to the Covenantee by this Covenant are permissive only and nothing in this Covenant imposes any duty of any kind on the Covenantee to anyone or obliges the Covenantee to perform any act or incur any expense for any of the purposes set out in this Covenant.

10. No Effect on Rates and Charges

Nothing in this Covenant or itself affects any obligations of the Covenantor to pay all taxes, rates, charges and levies lawfully imposed in respect of the Land.

11. Registration

The Covenantor agrees to do everything necessary at the Covenantor's expense to ensure that this Covenant is registered against the title to the Land.

12. **Severance**

If any part of this Covenant is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered severed from the rest of this Covenant and the rest of this Covenant remains in force and unaffected by that holding or by the severance of that part.

13. **Enurement**

This Covenant binds the parties to it and their respective successors and administrators.

14. **Conflict**

14.1 In the event of any conflict between the obligations placed on the Covenantee in clauses 4.1(a) - 4.1(f), inclusive and clause 4.1(g), clause 4.1(g) will prevail to the extent of any inconsistency.

14.2 Nothing in this Covenant will limit any right given to the Covenantee pursuant to any easement granted to or that benefits the Covenantee in the Native Vegetation Area registered before or after the creation of this Covenant.

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ANNEXURE A

28 September 2006

The Directors
Mirose Pty Ltd
PO Box 3144
SOUTH BRISBANE QLD 4101



Attention Ms Leanne Porter

Dear Leanne

Noosa Civic - Easements M and N on SP192396

We refer to our meeting today regarding the above matter and ENERGEX easement requirements for the project.

Whilst ENERGEX is not willing to alter our standard easements, we are prepared to provide the following comments and/or undertakings:-

- Access to the easement area to remove vegetation will only occur under emergency situations and the registered proprietor of the property or Noosa Shire Council will be responsible for reinstatement of the area to its prior condition.
- ENERGEX acknowledges that there are other existing services in the easement and that the current ENERGEX standards for separation will be followed.

The supply of electricity to the proposed development cannot occur until the following has occurred:-

- Easement documents in accordance with ENERGEX's standard easement conditions are executed by both parties
- All necessary consents are obtained and copies provided to ENERGEX.
- Undertaking to register the easements without delay and attend to any requisitions within 3 business days.
- Agreement to the terms and conditions of this letter.

Once this has been completed, ENERGEX will require up to 7 business days notice for switching and final connection. Please call me on 3407 4667 if you have any questions regarding the above matter.

Yours sincerely

[Redacted signature box]

Network Property Specialist



Enquiries

[Redacted] Personal information
Telephone
(07) 3407 4667
Facsimile
(07) 3407 4144
Email

[Redacted] Personal information

Corporate Office
160 Charlotte Street
Brisbane Qld 4000
GPO Box 1461
Brisbane Qld 4001
Telephone (07) 3407 4900
Facsimile (07) 3407 4656
www.energex.com.au

ENERGEX Limited
ABN 40 074 840 055

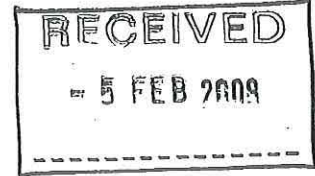
Appendix D - Notice of Land Listed on EMR

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29 January 2008

Site ID: 78766
File Number: BNE35046
Enquiries to: Contaminated Land Unit
Telephone: (07) 322 58487



MIROSE PTY LTD
PO BOX 3144
SOUTH BRISBANE QLD 4101

NOTICE OF LAND LISTED ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 374 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 2 Plan: SP182880
NOOSA SHIRE COUNCIL

28 EENIE CREEK ROAD
NOOSAVILLE QLD 4565

The parcel of land has been recorded on the EMR as, after careful consideration of submissions, it is decided that the land has been, or is being used, for the following notifiable activities pursuant to section 374 of the *EP Act*. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

SERVICE STATIONS - operating a commercial service station.

The owner may apply for a review of the decision to record the land in the EMR within 14 days after receipt of this notice, in accordance with section 521 of the *EP Act*. If you decide to apply for a review you must, in accordance with section 521(3), also give notice to the local government that you are seeking a review. You must forward to the local government the following documents:

- a notice of the application (the "review notice");
- a copy of the application and supporting documents.

The review notice must inform the local government that submissions on the application may be made within 7 days after the application is made to the EPA, as required by section 521(4) of the *EP Act*. A land owner dissatisfied with a review decision may appeal against the decision in accordance with section 531 of the *EP Act*. A copy of sections 521 and 531 is attached to this notice.

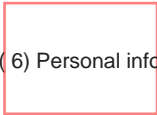
Please note that the listing of a site on the EMR does not imply that the EPA considers the site to be "contaminated", nor does it require that the land be investigated and remediated. The listing does not imply that this site is unsuitable for its current use, nor does it imply that you are in breach of any conditions set out in any existing Environmental Authority issued for this site. Remediation would be needed if there were evidence that the site presented an unacceptable health or environmental risk for its current use. In the event that the site is redeveloped, the EPA may require that remediation or management of any contamination be conducted to protect public health and the environment.

It should also be noted that, with the issuing of this Notice under section 374, the following requirements apply under section 421 of the *EP Act*.

If the owner proposes to dispose of the land to someone else, the owner must, before agreeing to dispose of the land, give written notice to the buyer that the particulars of the land have been recorded in the register.

Further information regarding this notice may be obtained by contacting the Contaminated Land Unit, EPA on telephone (07) 322 58487. Further information about contaminated land matters may be obtained by visiting our web-site at: www.epa.qld.gov.au/environment/business/contaminated.

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Delegate of Administering Authority
Environmental Protection Act 1994

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Appendix E – Cultural Heritage Search

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From: Francis Vanessa [Vanessa.Francis@nrw.qld.gov.au]

Sent: Wednesday, 21 November 2007 8:35 AM

To: sch4p4(6) Personal information

Subject: Cultural Heritage Search - 28 Eenie Creek Road, Noosaville

I refer to your application in which you requested advice on Aboriginal cultural heritage places recorded on the above location.

I wish to advise that no Aboriginal cultural heritage is recorded on the Cultural Heritage Database and Register in your specific search area, from the data provided by you. However, it is probable that the absence of recorded Aboriginal cultural heritage places reflects a lack of previous cultural heritage surveys of the area. Therefore, our records are not likely to reflect a true picture of the Aboriginal cultural heritage values of the area.

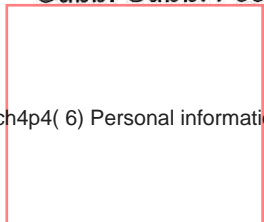
All significant Aboriginal cultural heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003*, and penalty provisions apply for any unauthorized harm. Under the legislation a person carrying out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in a official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage, which may occur on the subject property, is protected under the terms of the *Aboriginal Cultural Heritage Act 2003* even if Natural Resources & Water has no records relating to it.

Please refer to our website www.nrw.qld.gov.au/cultural_heritage/index.html for a copy of the gazetted Cultural Heritage duty of care guidelines, which set out reasonable and practical measures for meeting the duty of care. The Aboriginal party(s) for the area is:

QC99/35 - Q6034/99

Gubbi Gubbi People #2



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Should you have any further queries, please do not hesitate to contact me on (07) 3238 3839.

Kind Regards

Vanessa Francis
A/Policy Officer | Cultural Heritage Coordination Unit
Department of Natural Resources and Water

Level 5 Landcentre | Cnr Main & Vulture Sts | Gabba Q 4102
P 323 83839 | F 323 83842 | www.nrw.qld.gov.au

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Appendix F – Proposed Plan of Subdivision

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